

**THE INFLUENCE OF COUNTER TERRORISM MEASURES IN KENYA: A CASE OF
THE COASTAL REGION**

BY

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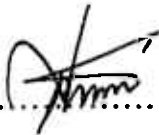


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DECLARATION

This research project is my original work and has not been presented before to any university for academic award.


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This research project has been submitted for examination with my approval as a university supervisor.

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DEDICATION

This research project is dedicated with love and gratitude to my daughter Briella Visalta.

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I thank God for enabling me to complete my studies. I am particularly grateful and immensely indebted to my supervisor Dr. Martin Ouma, who read each sentence in this project report, tirelessly critiqued my work progressively and gave me innovative suggestions to improve my project. If not for his significant guidance, it would have been difficult to complete this project. Thank you Sir, I'm greatly humbled by your support. My appreciation also goes to David Karanja and Maxwell Kyalo for their encouragement and inspiration in academic studies.

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ABSTRACT

With key focus on Kenya's alarming rate of radicalization particularly along the Coastal region, the study sought to examine the influence of counter terrorism measures in Kenya. The study was guided by three objectives namely: To examine the current counter terrorism measures in Kenya, to assess the effectiveness of counter terrorism measures in Coastal region of Kenya and to investigate the challenges faced by the government of Kenya in countering terrorism. In response to increased radicalization and terror attacks, the study has identified security interventions as the most key counterterrorism measure in Kenya. The security agencies have cooperated to neutralize terrorism and thwart terror attacks before it happens. The study has noted that effective counterterrorism measures need to tie together both militaristic approach and other peaceful programs by non-state actors such as civil societies and NGOs as well as embracing human security concept in order to holistically address the issue of terrorism by winning the hearts and minds of both perpetrators and sympathizers of terror. Other counter terrorism measures include countering financing of terrorism, collaboration with the U.S and other countries including regional bodies, establishment of national counterterrorism center as well as security surveillance of border. The study has discovered that the multi-agency approach comprising of soft and hard power has yielded fruit in the last few years ever since its launch and a number of its counter terrorism activities have resulted in the disruption of terror plots, arrest of terror suspects, discovery of terror networks as well as discouraging the population from joining terrorist groups and extremists. The study has discovered that lack of institutional integrity has weakened the capacity of Kenyan government to counter terrorism. Other noted challenges include expansive unsecured border with Somalia as well as the fact that counterterrorism is competing for funding with other national priorities such as infrastructure development, health services and provision of education. As a result the study recommends that there is need of advancing democracy, strengthening institutions of governance, empowering youth, promoting development especially in those marginalized regions and embracing the concept of human security in order to holistically counter radicalization. Furthermore, there is need for proper coordination of multiagency security especially in the areas of effective intelligence gathering, analyzing and sharing. Finally, there is need to address the issue of institutionalized corruption since it has insecurity implications especially in countering terrorism.

CHAPTER ONE

INTRODUCTION AND BACKGROUND TO THE STUDY

1.0 Introduction

Terrorism is neither new nor a recent phenomenon. In 21st century it has risen up to be one of major global security concerns especially the period after the so called 9/11 attack in U.S. This scenario has made terrorism to be a top priority security issue, even though people are much more likely to die from road accidents or preventable diseases than from terrorism. This study therefore investigates the influence of the measures of countering extremism in Kenya: a case study of Coastal region. The chapter covers background of the study, problem statement, objectives, literature review, theoretical framework, justification and methodology of the study.

1.1 Background to the Study

Terrorism is a historical phenomenon that transcends cultural, religious, economic and political perspectives. It traces its origins to the French revolution of 1789 and although it has mutated in forms and tactics, it has simply remained a threat to individual or collective human being. Kagwanja argues that terrorism is value laden, contentious and often emotionally charged owing to motivational and predisposing factors. It is often stated that one person terrorism is another person's liberty fighter thereby opening an endless paradox as what constitutes terrorism for one could be defined as a resistance to oppression or nationalist movement for another¹.

There is no clear meaning of the word "terrorism", however, the causes of terrorism are well known. For instance, there are subjective causes which include; feeling of injustice, sense of

¹Peter Kagwanja (2016), "*Counterterrorism in the Horn of Africa; New Security Frontiers –Old Strategies*". Africa policy brief: Issue No. 7-March 2016.

disempowerment, alienation on social political issues among others. Assaf argues that in many cases, people use terrorism as a tactical choice to agitate for change in power, empowerment or for self-actualization. In such cases, actors are ready to die for an idea, conviction or cause². Ranya views that Islamic extremism involves an actor who is motivated to be a jihadist/martyr who goes to paradise upon dying for the cause. Terrorism can also be as a result of state of mind of an individual.³

Terrorism has no boundary, this makes it to draws a large scale attention in the global limelight to create fear on populace and pressurize the political entity to act in favour of the terrorists' cause. Global terrorism has really proved the interconnectedness of the world into a one global village in 21st century. The astonishing terrorist attack in USA on 11 September 2001, acted as a wake-up call to universality and magnitude of capability of a terrorist. Since then, almost every scholar has appreciated that globalization has influenced the spread of terrorism as politics of identity, fundamentalism and upsurge of conflicts based on what Huntington views as "clash of civilization".⁴ The 9/11 terror attack in U.S had a repercussion on international security based on how this matter was being addressed and subsequent responses from the terrorism groups themselves.⁵

The Bush Doctrine which viewed some countries in the Middle East as an axis of evil and used U.S military as a measure to counter this threat in Middle East has as well brought about new

² Assaf Moghadan. (2008), "*The Salafi Jihad as a Religious Ideology*" Categories: Ideology, Rules and Edicts/ Individual Terrorist Actors. Volume 1, Issue number 3. P-2.

³ Ranya Ahmed. (2017), "*Terrorist Group Types and Tactics Choice*". Journal of Applied Security Research. Volume 13, 2018. Issue 1. P-1.

⁴ Samuel Huntington, (1996). "*The Clash of Civilizations and the Remaking of World Order*".

⁵ Ibrahim, M., (2014). Somalia and global terrorism: A growing connection? Journal of Contemporary African studies, Volume 28:3, pp.283-295.

issues; for instance, is terror attack a justification for self-defense? The U.S policy on terrorism being associated with spread of terror groups across the world due to its excessive use of force in Middle East especially in Afghanistan (2001) and Iraq (2003). This is so because of sympathy among those with shared identity.⁶

Most of the countries in Middle East and Arab Maghreb region are in Conflict. For instance, the case of Libya, Lebanon and Syria which have provided a fertile ground for terror groups which have tormented the world. Recently, France has been a target of terrorist atrocities in Europe; there was 'Charlie Hebdo' shootings in 2015 and Paris attack that left 130 people dead in 2018. There is also the case of London Bridge attack which made the British Prime Minister, Theresa May and the French president Macron to encounter in January 2018 in order to come up with a proper counter-terrorism policy in both countries which have borne the brunt of terrorism in Europe in the 21st century.⁷

Despite a remarkable experience in domestic terrorism in Africa, countries within the continent had not been committed in implementing the prevailing local and global approaches until the pressure of post-September 11, 2001 attack. At regional level, there have been efforts and these dates back to 1992 OAU convention and 1992 Dakar resolution.⁸ These resolutions aimed to enhance cooperation and coordination among African nations so as to address extremism. This was developed because there was resurgence of terrorism in North Africa in early 1990s after coming back of earlier Afghanistan fighters and this influenced Africa to be able to address the

⁶ Argus, Y. (2013). "*Ways of dealing with International Terrorism*" Human Rights Activist, the University of Michigan.

⁷ Christian K & Serah L. (2018), "*The Collective Securitization of Terrorism in the European Union*". Published in Journal of West European Politics. P-23.

⁸ Declaration and resolutions adopted by the thirteenth ordinary session of the assembly of heads of State and government. Dakar resolution adopted in 1992 by OAU.

issue of extremism, however, only those countries affected were the ones committed to this instrument⁹

The Second attempt was in 1999 through Algeria convention intended at inhibiting African countries from being safe zones of any group involved in terrorism.¹⁰ This convention condemned all acts of terror, methods and practices and this was due to re-awakening of emerging threat after 1998 bombing of Dares-salaam and Nairobi.¹¹ On the same year, African member States felt that Algiers convention was insufficient and thereby enhanced the development of the following to enforce it; Plan for African high level intergovernmental meetings on Peace, Security and Terrorism. AU came up with Peace and Security Council and African Institute for Research and Study of Terrorism.

There is a challenge in Africa in distinguishing between insurgences, terrorism and criminal acts thereby posing counter-strategy implementation challenges that have made terrorism in Africa to be a frequent unwelcome visitor wrecking unimaginable havoc to innocent citizens such as the cases of ISIS and Boko Haram in Libya and Nigeria respectively which has made the latter to be ungovernable and has spilled over to neighboring West and North African countries.¹²

In East Africa, Terrorism has taken roots and this is due to proximity to Somalia, intractable conflict in horn of Africa, presence of Western/Israeli high-value targets, weak government control and poor governance. In Eastern Africa, Kenya is seemingly the most impacted by terrorist acts. The first terror attack in Kenya was in 1975; “a plot by the Popular Front for the

⁹ Ibid.

¹⁰ Ibid.

¹¹ Alden, E. (2008). *The Closing of the American Border: Terrorism, Immigration, and Security since 9/11*. New York: Harper.

¹² Walker, A., (2012). *What is Boko Haram? Special Report, United States Institute for Peace, (2012) 1-13*

Liberation of Palestine (PFLP) and the Baader Meinhof group to shoot down an El Al passenger plane during a scheduled stopover in Nairobi” which was eventually frustrated after a efficacious intelligence sharing amongst Israel and Kenya.¹³ The second attack was in 1981 which occurred five years later when the PFLP confronted the Norfolk Hotel in Nairobi, lynching 15 people. At this time, U.S was quite disinterested in this kind of transnational threat believing that they were isolated from this threat and that if it did not target the west, it was a problem for Africa to deal with. Perhaps it could be perfectly argued that United States was busy containing the spread of Communism during the cold war thereby forgetting that terrorists could attack anyone anywhere anytime.

The 1998 American embassy terrorist attack in Kenya made Washington and Nairobi to get sensitized of the menace posed by terrorists. The attack led to demise of 200 individuals (comprising 12 Americans) and would other many people made Kenya to start developing counter terrorism strategy.¹⁴ On November 2002, an Israeli passenger plane was the target of an attempted missile attack at Mombasa International Airport. Concurrently, 13 persons were murdered and 80 wounded in synchronized attack at Kikambala hotel bombings by Al-Qaeda.¹⁵ In 2011, the Kenya Armed Forces in conjunction with their Somali counterparts marched for an offensive attack targeting the Al-Shabaab in southern Somalia later transiting to AMISOM force involving UN/AU support with other African Countries contributing troops and Egypt in joint efforts to exterminate the Al-Shabaab menace.¹⁶ In 2013, the Westgate Mall

¹³ Ablorh-Odjidja, E., (2015). *“Terrorism in Kenya: The Unholy Alliance of Silence, Religion and Ignorance”* December 2, 2002, Online, www.profileafrica.com.

¹⁴ Ibid

¹⁵ Benjamin, K. Kuto.(2004), *“The Effect of Terrorism: Evaluating Kenya's Tourism Crisis”*. E-Review of Tourism Review. Vol 1. No. University of Missouri Columbia. P-23.

¹⁶ James Willam. (2019), *“Rethinking Stabilization Efforts in Somalia”*. Stockholm International Peace Research Institute. The Independent resource on global Journal. P-5.

shooting saw 67 people lose their lives to an Al-Shabaab attack. Between 15 and 17 June 2014, more than 60 people in Mpeketoni lost their lives to Al-Shabaab attacks.¹⁷

In 2015, Al-Shabaab militia lynched about 147 learners at Garissa Campus. These are just a few of the remarkable terror assaults that the Kenya has faced in the last two decades.¹⁸ Al-Shabaab announced as the one who planned and executed the attack which is said to have been coordinated by Mr. Mohamed Kuno who is Kenyan citizen. Since Garissa university attack, there were no high profile attacks in Kenya until 15th January 2019, when Al-shabaab stormed in Dusit D2 hotel in Riverside Drive at Westlands. In this attack, 21 people were reportedly killed and other 28 seriously wounded. If not for quick response by security officers, the attack could as well have gone down as one of the worst in modern African history. The Dusit D2 attack come at the same time as El Adde attack on the Kenya Defense Forces in Somalia in 2016.¹⁹

In past years, Kenya has seemingly become a target of both radicalization and terror attacks. This has made the government to take steps to prevent and contain the terror attack. The stringent measures include establishing border security and establishment of both soft and hard strategies to combat terror. This has made Kenya to have the Anti-Terror Police Unit (ATPU) charged with core mandate of detecting, deterring and neutralizing terror attacks. Other measures taken include the De-radicalisation and rehabilitation projects for potential and former terrorists. This has made Kenya to be quite conversant on what exactly to do in an event of a terror attack. For

¹⁷ Daniel, E, Agbibo. (2014), "*The Westgate Terrorist Attack and the Transformation of Somalia's Al-Shabaab: A Global Jihadist Perspective*". Published by Research gate Journal in 12th June 2014. P-12.

¹⁸ Kimunguyi, Patrick, (2011). "*Terrorism and Counter terrorism in East Africa*". Global Terrorism Research Centre and Monash European and EU Centre Monash University,

¹⁹ Patrick, M, Maluki. (2019), "*Kenya Security Forces Performed Better but Still there are Gaps*" Published by Researchgate Journal. P-1.

instance, during the Dusit D2 attack, there was quite a proper inter-agency cooperation as compared to Westgate mall attack in 2013.²⁰

Fighting terrorism by use of intelligence is another counter-terrorism measure on top priority in Kenya. Since Westgate mall attack in 2013, there have been a number of policies tailored to trigger intelligence gatherings on terrorism. Community policing was improved with 'Nyumba Kumi' initiative and other measures which complemented intelligence surveillance systems. Despite these improvements, intelligence gathered was ignored in subsequent terrorist activities. For example it was generally assessed that Kenya security organs were unsuccessful prompt measures to react to warnings by intelligence about the impending terrorist attacks. Therefore it would have been better for Kenya security agencies to act on intelligence and pre-empt the attacks rather than the reactionary response after lives were lost already.²¹

Additionally, it came to the public that the security agencies had ignored intelligence about terrorist attacks on Westgate mall, 19 days before the attack. Failure to act on intelligence has really shown the repercussions of the ugly side of terrorism. This can get worse within East Africa with emerging cells of ISIS in Somalia spreading across East Africa Sub-region and beyond. Ideally, terrorism is inherently cruel in that it targets large numbers which effectively causes fear in line with the intentions of the terrorists.²² Undeniably, recent terror attacks have taken advantage of fragile ethnic relations in the country by pursuing specific ethnic groups in Lamu, Mandera and Wajir Counties.

²⁰ Ibid.

²¹ Erick Kiraithe (2019), "*Nyumba Kumi Responsibilities Misread*" Capital Kenya, National Security Situation. P-1.

²² Hobsbawn Eric. *Globalization, Democracy and Terrorism*, London: Abacus publishers.

It is quite evident that Kenya has made remarkable efforts on counter terrorism since Westgate attack in 2013. However, there is still much that can be done to strengthen security and build a more reliable counter terrorism body. This can only be achieved through proper coordination of different security agencies in gathering of intelligence, analysis, dissemination and implementation of intelligence for it to be effective and bring positive output towards counter-terrorism measures.

Fighting radicalization and violent extremism along the coastal region by the Kenyan government has not gone without notice and negative reactions by perceived aggrieved communities and/or religious groups. This is because of recurrent reports of alleged extra-judicial killings and forced disappearance especially in along the Coastal region of Kenya. For instance, there were reported assassinations of two imams in coastal region; Aboud Rogo and Makaburi for their alleged links with Al-Shabaab.²³ According to Attree the Operation Linda Nchi which was started by Kenya Defense Forces in October 2011 was specifically triggered by terrorist's attacks on tourists along the Coastal region. The military aimed at forming a barrier zone along Kenya's boundary, flushing out Al-Shabaab out of Port of Kismaiyu which was main economic resource funding their operation and finally to totally eliminate the Al-Shabaab.²⁴

Mwangi asserts that government has beeped security in Coastal region by occasionally deploying additional security forces. Furthermore the government through ministry of education has been training schools along the Coast on peace education and support of school clubs campaigning for

²³ Kaltum Guyo (2019). *"Terrorism is Just a Crime, do not suspend rights, Create extra Laws"*.

²⁴ Larry Attree. (2017), *"Inside Kenya's War On Terror: The Case Of Lamu"*. Published by SAFERWORLD, preventing violent conflict . Building safer Lives. PP, 23-24.

peace and educating on negative consequences of extremism. The government has also engaged youths through football tournaments to counter extremism attitudes and messages.²⁵

1.2 Statement of the Research Problem

Counter-terrorism measures in Kenya are vexed on different stakeholders who have tried to find solutions to it but without a long-lasting breakthrough. There are counter-terrorism bodies in Africa but they have not been remarkably successful in fight against terrorism. For instance, within the Africa Peace and Security Architecture (APSA), there is Peace and Security Council which is mandated to handle conflict related issues (Terrorism included) within the Continent.²⁶ It is however regrettable that this body has achieved little, if any effect, in combating terrorism.

Kenya has developed a National Counter Terrorism Centre (NCTC) which is a multi-agency body mandated to build and strengthen coordination in counter-terrorism. Albeit this establishment and efforts made to combat it, terrorism is still a major security concern which catches the nerve center of everyone.

Terrorism has laid a heavy cost on developed and developing countries as evidenced by the loss of a productive workforce and family members which leads to negative social and economic interference. In some instances, it has caused a flare-up of mistrust, tension and escalation of conflicts between religious groups especially Muslims and Christians whereby the former are perceived to be sympathetic to Islamic extremists. Violent extremism has negative implications on economy with Tourism and National Stock Exchange (NSE) and Foreign Direct Investments

²⁵ James Mwangi (2018), "*Fighting Radicalization and Violent Extremism in Kenya*". Published by ResearchGate on October 2018. P-6.

²⁶ Bismark Bura. (2012), "*The African Peace and Security Architecture (APSA)*". African union Peace and Security. P-21.

(FDIs) sectors being largely affected owing to their sensitivity to violence. Whenever a terror attack occurs, there is huge destruction of property and collateral damage caused by the combat between terrorists and security agencies. Finally, threat of terrorism has led to huge allocation or redirection of resources to Security agencies to fund counter terrorism measures which deprive other important Sectors of development such as Agriculture, Tourism, Health and education of crucial investments.

1.3 Research Questions

1. What are the current counterterrorism measures in Kenya?
2. How effective are counter terrorism measures in Coastal region of Kenya?
3. What are the challenges faced by government of Kenya in countering terrorism?

1.4 Research Objectives

The main objective will be to examine the current counterterrorism strategies being employed in Kenya, the successes achieved so far, and the underlying challenges.

The specific objectives are:

1. To examine the current counter terrorism measures in Kenya.
2. To assess the effectiveness of counter terrorism measures in Coastal region of Kenya.
3. To investigate the challenges faced by the government of Kenya in countering terrorism.

1.5 Literature review

This study reviews both theoretical and empirical literature. Theoretical literature is important because it has been used to examine the key debates and discourses on counter terrorism

measures and strategies. Empirical literature is equally important for this study since it has been used to help identify the key knowledge gaps in the whole concept of influence of the counter terrorism measures in East Africa.

1.5.1 Theoretical Literature Review

Terrorism has turned out to be a great threat to peace and security in the world. There is almost no single country without policies to counter radicalization to violent extremism. Therefore, this section seeks to examine the key debates emerging from the relevant themes. To explain this phenomenon, the study will review three key main theories which include; Constructivism, Instrumentalism and Counterinsurgency Model.

1.5.1.1 Constructivism theory

The term Constructivism itself was developed by Nicholas Onuf, on the basis of his view that characters are socially constructed and shaped by the environment. Therefore, it would suffice that terrorist are created by existing environmental conditions such as culture and religion.²⁷

Constructivism seeks to promote the significance of major assaults that are driven by multifaceted views. The approach is best suited to explain activities and beliefs of terrorism groups like Al-Shabaab, ISIS, Boko Haram etc. Constructivist theories assist scholars to analyze how identities and interests can change over time. Additionally, the theory is pivotal in understanding governments' fluid responses to extremist groups.²⁸

Constructivists believe that governments relate and respond differently to groups and communities depending on their perceived friendship. The nature of the relationship between the

²⁷ Schild, David. (201) "*Constructivism as a basis for understanding International Terrorism*": a Case study of *Al-Qaeda*," University of Johannesburg.

²⁸ Hobsbawn Eric (2008) "*Globalization, Democracy and Terrorism* " Abacus publishers, Great Britain, ,pp 133-135

different parties is shaped by collective understanding. Constructivism is also a cultural theory explained by different cultures of anarchy such as Hobbesian, Lockean and Kantian. The cultural aspects may help to explain the approach in fighting terrorism as well as affiliation to various religious convictions.

The key to theory of constructivism is perception, identity and understanding. The nature of threats differs from one country to another based on factors like identity, perception and understanding, this informs the response a country may take against the perceived threat. For instance, Kenya perceives and understands Al-Shabaab as danger to national safety hence this informs why Kenya has taken requisite counter-terrorism measure including full military action in Somalia to crush Al-Shabaab, on the other hand a country like Qatar, Dubai or Saudi Arabia based on identity, understanding and perception does not consider Al-Shabaab as a security threat.

1.5.1.3 Counterinsurgency Model

The Counterinsurgency Model was developed in 1999 by Gordon McCormick's.²⁹ The model was specifically developed to provide analysis of alternative military strategy to the war on terrorism. Based on this model, a symmetric view of the required alternative strategic effort to have achievement is an essential.³⁰ The model views that in this case, there are both insurgent and counterinsurgency forces. Anna argues that the model suggests five different military strategies to combat radicalism and their activities across the world. These approaches include; gaining support of the population, disrupt opponent's control over the population, direct action

²⁹ Gordon H. McCormick, "People's War," in James Ciment (ed), *The Encyclopedia of International Conflict*, Shoken Press, 1999.

³⁰ Ibid

against opponent, disrupt adversary's relationship with the international community and establish connections with the international community.³¹

1.5.2 Empirical Literature Review

The study has thematically reviewed literature alongside the three research objectives namely; to examine the current counter terrorism measures in East Africa region, examine the impact of counter terrorism measures in Kenya and finally investigate the challenges faced by the government of Kenya in countering terrorism.

1.5.2.1 Current Counter Terrorism Measures

To many individuals, the term 'international terrorism' automatically conjures images of horrific, deadly and senseless actions of violence which needs to be addressed. The United Nations resolution 1373 of 2001 and resolution 1624 of 2005 established a counter-terrorism committee charged with mandate to improve the capability of member States to fight terrorism nationally and across their regions. This committee was established on the wake of 11th September 2001 terrorists attack on United States of America. The United Nations Counter Terrorism committee established the UN global Counter terrorism measures on 8th September 2006. This policy was developed on realization that terrorism is indeed a global threat that can attack anyone anywhere anytime. The UN member States usually review the counter terrorism strategy after every two years for it to remain relevant to ever changing dynamics of terrorism.³²

³¹ Anna Pechenkina. (2016). "*Violent and non-Violent Strategies of Counterinsurgency*". Published by journal of *Artificial Societies and social simulation* in 31st October 2017. P-7.

³² United Nations Security Council Counter Terrosism Committee Executive Directorate CTED). Report of 2018. P-3.

U.N has four main measures to counterterrorism namely; approaches to combat terror ensure there are no safe havens for terrorists, improvement on the capacity of U.N to combat terrorism and lastly promote democratic governance across the world.³³ The UNSC works to ensure global security. In this regard, terrorism constitutes a threat to global peace and security hence this has made UN Security Council to unanimously adopt resolutions to counter terrorism. Rosand affirms that the UN resolution on counter terrorism call for all States to strongly condemn, prevent and combat all forms of terrorism with a united front. This ensures all United Nations members do not create conditions for safe haven of terrorists and that terrorism acts are not encouraged.³⁴

The European Union Council established a counter-terrorism strategy in 2005 to globally neutralize terrorism and make Europe a safer continent.³⁵ The strategy is comprised of four main pillars which include preventing, protecting, pursuing and responding to terrorism by cooperating with African countries and other international institutions. The European Union works towards strengthening and continuously improving capability of security agencies within European Union and other partner countries/ allies. Tracy posits that it also involves finding out the sources of finances for terrorists in order to block them and improve on information sharing between different security agencies and the judiciary.³⁶ The European Union on counter

³³ United Nations Office of Counter-Terrorism report of 2006.

³⁴ Eric Rosand.(2018), "*Civil Society in the U.Ns Counterterrorism Efforts*". Published by Brookings Journal in 2018, Center for Middle East Policy. P-56.

³⁵ Ibid.

³⁶ Tracy Watkins. (2019). "*The Terror Threat Level has been Lifted too High for the First Time in Country's History*" published by Independent journal of politics. P-45.

terrorism efforts cooperates with U.N, world forum to counter terrorism, Arab League nations, European Council and Africa with specific focuses on the horn of Africa sub-region.³⁷

Despite a long history of experience in terrorism mainly domestic terrorism in Africa, countries in Africa had not been serious on formulating and implementing strategies until September 11, 2001 attack.³⁸ This is because African has a certain understanding of terrorism, the threat of terrorism or vulnerability differs from continent to continent within sub-region and country, each country will actually react differently depending on perception of terrorism and finally Africa is itself not isolated from factors that enhance international terrorism which include: globalization, technology and impact of U.S foreign policy.

At regional level there have been efforts and these dates back to 1992 OAU convention and 1992 Dakar resolution. This resolution aimed to enhance cooperation and coordination among African Nations so as to address extremism. This was developed because there was resurgence of terrorism in North Africa in early 1990s after coming home of the soldiers who fought in Afghanistan and this influenced the region to be able to address issue of extremism, however only those countries affected were mainly the ones committed to this instrument.³⁹ In 1999, the OAU condemned all acts of terror including methods and practices and strongly called upon member States to ensure that terrorism is nowhere within their countries. This was as a result of 1998 bombing in Nairobi and Dares-salaam which surely made African countries to know that terrorism had come to their door steps. The African Union also established African Peace and Security Architecture (APSA) which within it there is an established body known as the Africa

³⁷ European Union Counter-Terrorism Strategy published by the General secretariat of the Council of Europe. PP, 4-5.

³⁸ Ibid.

³⁹ Ibid.

Peace and Security Council which addresses matters related to terrorism and armed conflict in the continent.

The African Union has developed a number of instruments to counter terrorism such as the African Union Plan of Action on countering terrorism which aims to tighten border controls, improve on intelligence gathering and sharing of critical information pertaining terrorism. It also involves improving legislative and judicial measures to deal with terrorism as well as strengthening continental cooperation to address terrorism. The African countries have got different counter terrorism policies depending on their perception of terrorism, hence there is need to harmonize the national counter-terrorism approaches with those of sub-region and region itself.⁴⁰

There have been counterterrorism security operations in search of terrorists' especially in Eastleigh region of Nairobi. The operation called 'Usalama Watch' was carried out in Eastleigh just after series of grenade and gun attacks in Nairobi. This made the police to raid homes and shopping malls in Eastleigh in search of terrorist suspects. According to Human Rights Watch, this operation was marred by massive violation of human rights as police used excessive force including incidences of rape cases, harassment and torture.⁴¹

In Kenya there is an established National Counter Terrorism Center (NCTC) which involves multi-agency institutions brought together to strengthen coordination in fight against terrorism. The NCTC has established forums within the counties to detect prevent and De-radicalise potential and former terrorists. To detect terrorists, the NCTC has come up with community

⁴⁰ African Center For Strategic Studies (2018) "*National Counterterrorism Strategy Development*" National counter terrorism Strategies in Africa Program Materials.

⁴¹ Kenya Human Rights Watch report of 2015 "*Counterterrorism Operations Undermine Rights*". No justice for security force abuses.

policing and 'Nyumba Kumi' Initiative. These platforms were initiated in 2013 after the horrific Westgate Mall attack by Al-Shabaab militia. Barton posits that preventive measures in Kenya seek to address the push and pull factors that drive individuals to radicalization and violent extremism.⁴²

The influx of refugees in Kenya from the neighboring unstable countries like Somalia has been linked with increased radicalization especially in Daadad refugee camp. There was a view that doing away with Daadab refugee camp, which was largest in the world before it was closed, would be a major milestone to counter radicalization in Kenya. The camp is generally viewed as a breeding ground and recruitment center for Al-Shabaab therefore when it gets closed, it will end terrorism activities in North Eastern Kenya. This belief could be completely wrong given the most recent attack in Dusit D2 hotel which showed that terrorists can still attack on their will when they like.⁴³

Additionally, Kenya views its porous border with Somalia as one of the challenges in countering terrorism in Kenya. Garissa University terrorist attack made Kenyan government to start building almost 680 kilometer wall on its boundary with Somalia. Previously, the government had talked of building a "separation barrier" however; Garissa attack gave new impetus to quickly start constructing the wall.⁴⁴ Basically, the aim of the wall is to keep Al-Shabaab and illegal migrants from crossing to Kenyan soil except through control border points. Historically, walls have proved to be an expensive undertaking both in building, maintaining and manning.

⁴² Greg Barton. (2018), "*The Three Ps of Radicalization: Push, Pull and personal. A Systemic Scoping Review of the Scientific Evidence about Radicalization into violent extremism*". Journal of Studies in conflict and Terrorism. P-32.

⁴³ Horn International Institute for Strategic Studies, (2019). "*Securing the Nation: Responding to the Changing Terror Tactics after DusitD2 Attack*" Horn policy brief No.16. January 24, 2019.

⁴⁴ Gabrielle Lynch (2015), "*Why Somali border is a bad idea*". Daily Nation, 18th December 2015. P. 7.

The wall is unlikely to prevent determined terrorists from crossing to Kenyan side unless complemented with other effective surveillance and counter-infiltration measures. For instance, the famous Berlin wall which separated East and West German failed to achieve its goals. Between 1960 and 1989, it was estimated that over 5,000 East Germans crossed the 12 foot high and 4 foot wide wall to West German.⁴⁵ Due to perceived rampant corruption within the internal security agencies, the wall might not achieve its stated goal of keeping terrorists away on its own. The modern world is like a global village, highly interconnected through advanced new technology and therefore it is difficult to prevent a certain group from moving from one place to another. Terrorists have been very determined people with high connection and resources.⁴⁶ They can use their resources to bribe the border security officers, tunnel under the wall, use a ladder to climb the wall, sail, or come to Kenya by a flight. In short, building this wall is likely to be ineffective exclusively.

Anti-terror police unit (ATPU) is a Unit within National Police Service charged with a mandate to counter terrorism activities in Kenya. It is the main unit combating radicalization and terror attacks along Coastal region and Kenya at large. This Unit was established in 2003 as a result of imminent danger from terrorism as experienced in 1998 terror attack of U.S embassy in Kenya which caught the Kenya security agencies flatfoot without any prior intelligence concerning the attack. The role of ATPU includes: To investigate all terrorism related cases, Interdict terrorism activities within the country, The ATPU was charged with a role of being at forefront in countering terrorism, sharing of intelligence as well as monitoring the new unfolding by terror groups, create profile of suspected terrorists and keep an updated databank and finally to

⁴⁵ Barry Buzan (2006), *"The war on Terrorism as a new macro-securitization"*, Oslo workshop papers.

⁴⁶ Matt, B. (2013) *"A strategy of choice or necessity?"* The reinvention of Al-Shabaab: (CSiS, Washington D.C).

sensitive the public.⁴⁷ Gathering of the intelligence is seemingly the leading measure to counter terrorism. According to Charles, Kenyan intelligence is to a large extent effective because it has been argued that before every terrorism attack in Kenya there have been prior information and warning to other security agencies. The installation of CCTV surveillance Cameras and metal detectors have as well aided in detection of terrorist activities in Nairobi.⁴⁸

There has also been an improved security capacity to fight terrorism due to purchase of sophisticated equipment. According to a report released by Stockholm International Peace Research Institute (SIPRI), Kenyan government has purchased Scan Eagle worth one billion to be used by security agencies in surveillance and reconnaissance of terrorists. The Unmanned Aerial Vehicles have been effectively deployed to aid in battle against Al-Shabaab. Drones help in tracking movement and communication of terrorists hence help to thwart an impending attack.⁴⁹

Money has often been described as key to international terrorism, thus tracking is paramount to the success of counter terrorism efforts. As an instrument of power, the government in the early 2000s did not enact any legislation on financial controls. However, the government then established a task force on anti-money laundering and on the financing of terrorism.⁵⁰ The mandate of the task force was to review existing legislation at the time and come up with a draft of a national policy on combating the financing of terrorism. Pape argues that prior to the enactment of the act in 2010; Kenya was one of the countries where money laundering was

⁴⁷ Directorate of criminal investigation portal, the Anti-terrorism police Unit (ATPU).

⁴⁸ Daniel Samuels.(2018), " *Multi-agency Counter Terror Strategies Bearing Fruits* ". Published by Standard Digital in April 2018. P-1.

⁴⁹ Samuel Messo (2016) "*Kenya Buys Powerful US Drones for Terror War*". Published by Kenya Co.Ke.

⁵⁰ Ngigi, G., (2013). "*CBK Rules Outlaw 'Hawala' Money Transfer System*", Business Daily Posted Monday, April 29 2013.

always on the rise. Terrorists might have also exploited this weakness to advance terrorist activities in the country and the region.⁵¹

Ali contends that in efforts to conduits of money laundering within the region, Kenya has ratified its membership in Eastern and Southern Africa Anti-Money Laundering Group. Since 2010 Kenya's effort in implementation of anti-money laundering legislation were recognized. This is largely due to enactment of two key legislations by parliament which include Proceeds of Crime and Anti-Money Laundering Act (POCAMLA) in 2009 which effectively established a Financial Reporting Center (FRC) which is charged with mandate of investigating the transfer of money within the financial system in order to detect money laundering. Secondly there was legislation of Prevention of Terrorism Act (POTA) in 2012 which charged FRC with mandate of countering financing of terrorism.⁵² Equally, Robert argues that in October 2012, Kenya was recognized by FATF due to its progress in anti-money laundering as well as improved legislation to prevent financing terrorism. The Central Bank of Kenya has also ordered termination of all informal money transfer system and enacted stringent money laundering laws upon all commercial banks.⁵³

Michael contends that Kenya in 2016 Kenya developed a national strategy to combat radicalization and violent extremism. The strategy involved pooling together efforts from

⁵¹ Robert Pape, (2003) , "Introduction: What is New About Research on Terrorism," *Security Studies* 18, no. 4 (2009): 643–650. Robert Pape "The Strategic Logic of Suicide Terrorism," *American Political Science Review* 97, no. 3 (2003): P-343.

⁵² Ibrahim Ali, (2018), "Laws Promoting Financial Integrity Geared in Kenya in Light Increased Terror Attacks" Current strategies geared towards merely being seen to work frustrate investor in Kenya. An article Published by Research Gate Journal of Studies on 2018. PP-2-4.

⁵³ Robert Murky, (2017), "Tracking Money Laundering and Countering Financing of Terrorists" After dirty money is sanitized by passing it through the banking system, it is utilized for legitimate investment in the economy. Published journal of Economic Studies, Berkley University. P-13.

government, private sector and non-governmental organizations to focus on DE radicalization tactics without use of force. This strategy is steered by National Counter Terrorism Committee (NCTC) which has already introduced school based programs on countering radicalization in Kwale, Mombasa and Lamu counties.⁵⁴

1.5.2.2 Effectiveness of Counter Terrorism Measures

1.5.2.2.1 Use of Military to Counter Terrorism

After September 9, 2001 terrorists attack in U.S, there was development of the Bush Doctrine policy to fight terrorism. In this case, certain countries were branded as the axis of the evil and U.S coerced every country to fight against the new source of threat to international peace and security. The argument prevailing was “you are either with us or against us” in fight against terrorism. U.S and the NATO member launched offensive military campaign in Afghanistan in order to flush out Taliban, a terrorist group which was said to be the one responsible for 9/11 attacks in the U.S. The use of airstrikes and night raids left thousands of innocent civilians dead and many families got separated. According to Amnesty International the U.S and NATO invasion of Afghanistan caused unimaginable violation of human rights enshrined in 1948 Universal Declaration of Human Rights (UDHR). There were many incidents of torture, kidnappings, and reckless air bombing and shootings which amounted to a war crime.⁵⁵

The U.S and NATO had invaded Afghanistan under the pretext of liberating the people of Afghanistan from the cruel rule of Taliban. However, cases of arbitrary arrest, mistreatment of detainees, detonation of bombs, abduction of humanitarian aid workers, indefinite detention at

⁵⁴ Michael Orwen (2017), “*Kenya: Extremism And Counter-Extremism*”. Published on 2nd November 2018 by Counter Extremism Project, United Kingdom. P-12.

⁵⁵ Pamela Constable (2014), “*Amnesty International Accuses U.S, NATO of Human Rights Abuses in Afghanistan*” Democracy dies in darknes. Washington post. P-1.

Guantanamo Bay and excessive use of force operated completely outside the law.⁵⁶ According to Kambere, former president of United States endorsed use of drones to fight Terrorism. Even though this method is very much effective in locating and attacking terrorists by military, it has led to killing of innocent civilians and injuring of many people.⁵⁷

African Mission in Somalia (AMISOM) is one of the measures of African Union (AU) to combat terrorism in the region. AMISOM is part of the international actors trying to stabilize Somalia. Stanley views that AMISOM has to a large extent succeeded on its objectives. It has reduced the threat posed by Al-Shabaab and also provided effective security for Somalia political process and reconciliation process. Despite success, AMISON has faced serious challenges. First and foremost it is clear that AMISOM cannot defeat the Alshabaab militants. This is because defeating terrorism anywhere cannot only happen by use of hard power alone, instead there is need of concerted efforts from both hard power and soft power. There is need also to embrace dialogue and human security as a long term strategy to counter violent extremism and radicalization.⁵⁸

Various countries affected by terrorism in Africa have come together through their regional bodies to develop their own measures to counter terrorism. For example States in EAC have partnered to counter terrorism in the region. Under PRACT, the EAC States have established five goals which have to be met in order to counter terrorism within EAC sub-region; it includes improving on the following area: partner States military capacity, border security, rule of law, ability to counter terrorism and ability to counter terrorism financing. PRACT has provided

⁵⁶ Human rights watch: Enduring Freedom, abuses by U.S forces in Afghanistan. Report of 2004.

⁵⁷ Kambere, G. B., (2011). "Countering Al-Shabaab: A Case to Minimize Transnational Terrorist", Thesis, Naval Postgraduate School Monterey, California.

⁵⁸ Stanley .O. Ehiane (2018). "Strengthening the African Union Counterterrorism Strategy in Africa. A Re-awakened Order". Published by Journal of African Union Studies, Volume 7 and 2. August 12, 2018. P-109.

support in countering terrorism in Somalia which such training Somali police on techniques of investigating terrorism activities however Preact is underfunded hence it is not fully effective on its mandate.

Kenya has also resulted to use of military to counter terrorism both internally and externally. This is evident as Kenyan military was among the first to be deployed in Somalia. Despite the fact that use of military has made incidences of terror attack to reduce, Kenya has also been accused of human rights violation in its efforts to combat terrorism. For example, during counterterrorism crackdown in Eastleigh, an operation which was called "Usalama watch", there were reports of arbitrary arrests, rape, forceful evictions, harassments, theft and ill-treatment by security forces.⁵⁹ This has made the Somali community to feel as if they are the ones being targeted by security forces in response to terror attacks in Kenya. The Anti-Terror Police Unit has also been accused of extrajudicial killings and enforced disappearance of people suspected to be sympathizers of terrorism especially in North Eastern Kenya and Coastal region. This questions the effectiveness of use of military to counter terrorism.

In Kenya, PPPs are inadequate in regard to mitigation of terrorism. Indeed even the Public Private Partnerships Act 83 emphasizes on economic partnership for infrastructure and general development but not in regard to security. Its provisions do not holistically capture the issues of security partnerships; furthermore, the counterterrorism partnerships are not detailed at all, despite the act being a 2013 endorsement at a time where terrorism activities and impacts were quite well conversant with. As noted the APEC region partnerships tend to view the private

⁵⁹ Amnesty International 2015 "Somalis Scapegoat in Counterterrorism Crack down".

sector as ‘funders’ a problem that is shared in Kenya, where the PPPs rarely focus on counterterrorism even under the areas of focus for PPPs under the Kenya Vision 2030.⁶⁰

The private security sectors such as G4S and KK Security need to partner with the government in Kenya and have their guards properly trained and licensed to use arms. Some of the private guards have no knowledge on terrorism and even sheer knowledge on weapons such as explosives. The transport industry also is important in partnership with the public sector.

1.5.2.2.3 Intelligence Services and Law Enforcement Agencies

It is important to note that whereas it is easy to blame the police and intelligence agencies (NSIS at the time) for failing to dismantle Al-Qaeda cells in the initial stages and therefore avert the terrorist attack, other agencies contributed to the failures. Most of the terrorist suspects were foreigners with most of them having fake documents, such as Kenyan national identity cards and passports. Part of the blame therefore goes to the Immigration Department for issuing such documents procedurally to foreigners.⁶¹

Kenyan intelligence has usually been very effective in detecting terrorism activities in the country. Maccnnel Right before Westgate terror attack there was intelligence, how it became to the public the police did not act on it. Recently there has been witnessed effective coordination of different security agencies in countering terror attacks. During DusitD2 terror attack was quickly thwarted through coordination of agencies hence reducing the casualties as opposed to previous case argues that like Westgate when it took close to a week to flush out terrorists out of

⁶⁰ Public Private Public Private Partnerships in Kenya, Presented by Esther Koimett, CBS Investment Secretary Ministry of Finance, Kenya. 2012

⁶¹ Ibid

the mall. Despite positive results noticed during DusitD2 attack Kenyan security agencies need to do yet more to counter terrorism.⁶²

1.5.2.2.4 Financial Controls

International Monetary Fund (IMF) defines money laundering is the process by which the origin of funds generated through illegal means such as corruption, drug trafficking, terrorism and gun smuggling is concealed and cleaned back to the economy.⁶³ Money is one of the crucial necessities to the operation terrorism; therefore in order to win the war against terrorism countries must counter money laundering. Ngugi posits that in past, ineffective legislations have made Kenya to be a hotspot of money laundering in the world with dire implications on security. This is because terrorists groups have exploited the weak monitored financial systems to transfer huge amounts of money in order to fund terrorist activities elsewhere. The Hawala system of money transfer has for long been speculated to be aiding Al-Shabaab in in transfer of money. The Hawala system of money transfer is actually based on mutual trust of both parties hence it does not involve bank transactions in most cases, this makes it hard to track the exact amount transacted as well as detecting how the money is being used. This has in past made terrorists and in particular Al-shabaab to transact huge amounts of cash through Hawala system that successfully finance terrorism activities in East Africa region.⁶⁴

Money has often been described as key to international terrorism, thus tracking is paramount to the success of counter terrorism efforts. As an instrument of power, the government in the early 2000s did not enact any legislation on financial controls. However, the government then

⁶² Tristan McConnell (2018), "*Close Your Eyes and Pretend to be dead*". Published by FP Journal. P-34.

⁶³ International Monetary Fund (IMF), 2016 report on Money Laundering.

⁶⁴ Brian Ngugi (2013), "*U.S puts Kenya on List of Cash Laundering Hotspots*", Global money laundering key to the financing of terrorism activities in Middle East and Horn of Africa. Understanding terror networks in Globalized world. Published by European Journal of Social sciences on 2016. PP, 43-46.

established a task force on anti-money laundering and on the financing of terrorism.⁶⁵ The mandate of the task force was to review existing legislation at the time and come up with a draft of a national policy on combating the financing of terrorism.

Money laundering has been key to international terrorism hence Kenya through Central Bank has established additional guidelines on transaction of large sums of money through commercial banks and micro-finance institutions. The banking circular No.1 of 2016 requires banks to ask for additional information when one is depositing or withdrawing over one million shillings. This is aimed at determining the legitimacy of the source of funds and prevents financing of terrorism activities.

1.5.2.3 Challenges in the Fight against Terrorism

Terrorism has emerged as a major global security challenge, particularly in last two decades. Following 9/11 terrorist attack, the American and NATO forces, under mandate of United Nations, launched a global war on terror in Afghanistan which was believed to be the central operation of Al Qaeda.⁶⁶ However, this alliance of collective security has not achieved its vision in eradication of terrorism by use of offensive military capability. There is completely no definition of the term terrorism because different people and countries have opposing scenarios on this phenomenon. A terrorist for one nation may be treated as a freedom fighter or nationalist in another State. Hamas, for example, are fighting for the liberation of independent Palestine State, while Israel and the U.S view them as terrorists who must be wiped from the face of the

⁶⁵ Ngigi, G., (2013). "CBK Rules Outlaw 'Hawala' Money Transfer System". Business Daily Posted Monday, April 29 2013.

⁶⁶ Martin, A, Andresen. (2016), "Criminalizing Terrorism in the World: Investigating the Sentencing Outcomes of Terrorist offenders from 2000 to 2015". Published by the journal of Criminal Law and criminology in Canada in 2016. P-2.

earth. This has made the U.N not to implement the Comprehensive Convention on International Terrorism adopted by general assembly since 1996. The national interest of countries has also diluted the collective action against terrorism. For instance China interest in Pakistan

As noted Barbara, African countries have not been committed in implementing the existing regional and international strategies until the September 11 2001 U.S attack by terrorists.⁶⁷ There are serious gaps in implementation and follow-ups in ratification and implementation of treaties. The AU Protocol took ten years from 2004-2014 to garner 15 states to ratify it before entering into force. Key states prone to terrorism in Africa – e.g. Kenya, Nigeria, Somalia and Uganda have yet to ratify it. Only about one-third of AU member states have introduced specific counter-terrorism legislations as recommended by the AU.⁶⁸ Karlsrud contends that African Centre for Study and Research of Terrorism (ACSRT) which is the main regional Think Tank and coordination institution of Africa's counter-terrorism strategy, remains weak as it is poorly funded, inadequately staffed, and lacks the resources needed. The African Court of Justice and Human Rights, which if functional, would have the power to prosecute individuals and states contravening the counterterrorism laws, remains weak.⁶⁹

Despite the fact that Kenya has made a good effort in counter terrorism measures, there are still notable loopholes. Evidently, the Parliamentary Service Commission of Kenya (PSC) lacks capacity for following up on implementation of AU instruments and decisions; mobilizing an effective response against terrorist acts, preparing and regularly reviewing list of persons, groups and entities involved in terrorism. Edna views that there is also a challenge in Africa in

⁶⁷Barbara Keys (2018), "*World politics explainer: The twin-tower bombings (9/11)*". Published by political security affairs Journal in October 2018. P-76.

⁶⁸ Ibid.

⁶⁹ John Karlsrud (2016). "*Visit to the African Centre for the Study and Research on Terrorism (ACSRT)*". Published in 2016 by training for peace Africa. P-12.

distinguishing between insurgences, terrorism and criminals hence this presents implementation challenges. Due to leadership and governance challenges coupled with religious differences, many African settings are unable to define and agree on common strategies to defeat terrorism.⁷⁰ This is because of persistence of State centric militaristic approach to terrorism issue which had previously viewed terrorism as a threat emanating outside Kenyan boundaries forgetting the possibility of radicalization of Kenyan born citizens.⁷¹

1.5.3 Summary of Gaps in the Literature

There is a shortage of specific theories in the current literature available that provides assessment tools for the success of counterterrorism efforts in Kenya.⁷² Given that terrorism is a highly contextualized issue, the available models are developed by western countries suited to study specific threats tied to the target terror groups. Therefore, the current empirical models and theories available on counterterrorism and counter insurgencies are suited to Middle Eastern terror groups. As for Africa and in particular Kenya, there is a big gap in availability of empirical studies that model terrorism activities against counterterrorism efforts carried out by both state and non-state actors.⁷³ The study aspires to provide critical patterns that can aid in the development of a model suited to the Kenyan case, more so, to the threat of the Al-Shabaab terror group.

⁷⁰ Erez, Edna (2006). "Protracted War, Terrorism and Mass Victimization: Exploring Victimological/Criminological Concepts and Theories to Address Victimization in Israel." In Uwe Ewald and Ksenija Turkovic, eds. Large-Scale Victimization as a Potential Source of Terrorist Activities. Amsterdam: IOS Press, pp. 89-90.

⁷¹ Paul Goldsmith (2018). "Initiatives and Perceptions to Counter Violent Extremism in the Coastal Region of Kenya". Journal for Deradicalization. P-1.

⁷² Payne .J. Richard, Global Issues; Politics, Economics and Culture, 2nd ed, Pearson Longman, Illinois State University, P.125

⁷³ Neal, S., Business as Usual? Leveraging the Private Sector to Combat Terrorism. *Perspectives On Terrorism*, 2(3). (2010). Retrieved from <http://www.terrorismanalysts.com/pt/index.php/pot/article/view/31/html>

1.6 Hypotheses

H1: Counterterrorism measures in Kenya are effective.

H0: Kenya faces challenges in countering terrorism.

1.7 Justification of the Study

The desire to understand the current counterterrorism situation is critical to individuals, Kenyans, the country as a whole, the region, and the global community. There are three broad justifications proposed for this study.

1.7.1 Policy Justification

The fight against terrorism is not subject to experiments or test runs. The urgency and severity of the issue calls for proper formulation of policies given lives, economies and regional stability is at stake. The country has suffered from forced relocations, travel advisories that have affected tourism and foreign investments in the country as key economic contributors. The identity of the country, the culture of the people and its pride in the global arena are all at stake. Furthermore, the country's politics and public debates have been greatly influenced by past terror events. Therefore, the country's economic planning, policy framework, foreign relations and culture are dependent on credible research-based knowledge on effective counterterrorism policies to guarantee security and economic development of the country.

1.7.2 Academic Justification

In the modern globalized and data driven world, there is a need to enact evidence-based policies and strategies in various fields. Counterterrorism and security matters are not any different and require relevant and current research data on core issues affecting the field. As it is, there is disconnect between policies and results. Again, past studies do not account for the fluid nature of politics and security in the region calling for constant evaluation of strategies put in place, the

outcomes, emerging challenges, and the social environment. Thus, the study will add to the currency of available academic data in examining the relevancy on current theories and strategies guiding counterterrorism efforts in East Africa in general and particularly in Kenya.

1.7.3 To the General Public

The concept of security has many stakeholders and the perception of presence or absence of security has a huge bearing on the future of the country. It is important to assess whether the country is headed in the right direction in matters of security that impact the general wellbeing of the country. The information that the current study seeks to gather will shape public opinion on security which has a significant influence on the country's cohesion and in addressing a common threat that literally affects all spheres of life. The citizens of Kenya need short and long term assurances on Security and elimination of threats to their security and life.

1.8 Theoretical Framework

The literature review has pointed out that, radicalization and violent extremism aim to achieve a political end. Therefore terrorism is often influenced by the political climate of a country and also it requires a political action to counter terrorism. The study will be anchored on instrumentalism theory. The theory posits that terrorists fight for political reasons. In addition, the influence of terror groups continues if terror activities continue to instill fear in people in order to achieve political goals. The relevance of terrorism remains as long as they achieve their motives hence this extensively explains why terror attacks happens once at a while and in particular when the attack is least expected. After terror attacks, terror groups claim for responsibility. This explains the relevance of instrumentalism theory in explaining terrorism and counterterrorism measures. Terrorism survives on by creating recognition and wide spread

publicity. According to Crenshaw some regions have vibrant terror groups. For instance within the Horn of Africa, Al-Shabaab possess a great threat while on the other hand Americans perceive Al-Qaeda to be a threat to their security.⁷⁴ The two scenarios showcase that terrorists are well known and they already have publicity which maintains their relevance. This theory is applicable to the study since it captures the main motive of terrorism which is to achieve political end. This effectively explains why countering terrorism requires a political action such as focusing on human security, democratic governance and development with human face.

1.9 Research Methodology

This section highlights the methodology that was be used in conducting the research. In particular it specifies the research design which was used in collection of data as well as method which was used in analyzing data.

1.9.1 Research Design

A research design entails “the plan, structure and strategy to be utilized in investigating the research problem and obtaining answers to research questions. Different types of research design are used depending on the type of study. This study employed the mixed method approach in collecting and analyzing data. Data triangulation and analysis triangulation was employed in this study. Lacey argues that data triangulation involves use of multiple data sources on the same study for purpose of validation and confirmation. Analysis triangulation refers to use of more

⁷⁴ Hoffman, Bruce. Rethinking Terrorism and Counter Terrorism. *Studies in Conflict & Terrorism*, 25 (2002) 303–316.

than one method of analysis on the same set of data for validation purpose⁷⁵. The research used both quantitative and qualitative methods in collecting and analyzing data.

1.9.2 Research Data

Both primary and secondary data was used to tap the best from the research approaches. This section therefore illustrates the sources of both the primary and secondary data.

1.9.2.1 Primary data

The collection of primary data was through structured interviews and questionnaires targeting technocrats in the industry and senior staff from the concerned departments of government agencies such as the Kenya Anti-Terrorism Police Unit, and the civil society groups in working in terror prone areas. The government officials were interviewed to explain the mechanisms put in place for CT as well as on how effective these mechanisms have been; while the CSO personnel were interviewed for their role in de-radicalization and countering violent extremism programs and situations on the ground.

1.9.2.2 Secondary data

Secondary data was collected by scrutinizing the literature contained in academic periodicals, policy documents, books, newspapers, and scholarly papers and magazines, TV documentaries on the research questions of this study. The printed sources were sourced from the university library and online databases.

⁷⁵ Kirkman, S. Lacey (2016), "*Qualitative research methods: when to use them and how to judge them*". Published by Oxford Academic Press. P-3.

1.9.3 Research Site

The data was collected in Mombasa, Kwale and Lamu Counties. These Counties are along the Coastal region of Kenya and are among the regions most affected by radicalization and violent extremism. The institutions which counter violent extremism like KECOSCE and MUHURI NGO are based in Mombasa. The Counter Terror Police Unit (CTPU) and NCTC despite being headquartered at Nairobi have also vibrant offices in Mombasa and therefore offered easy access to the researcher.

1.9.4 Target Population

The study was carried out in Mombasa, Kwale and Lamu Counties. The study was centered on three key institutions that handle issues related to the subject under study. These institutions are the Kenya Police Anti-Terrorism Unit, the MUHURI NGO personnel working in matters related to terrorism and the National Counter Terrorism Centre (NCTC) staff. The personnel (staff) under these organizations were therefore the population for the study. The Kenya Community Support Centre (KECOSCE) was also considered for gathering of primary data.

1.9.5 Study Sample

Table 1.1 Research Populations and Sampling Technique

Category	Population	Sample size	Sampling procedure
CTPU	1500	30	Purposive sampling
Muhuri NGO	200	15	Purposive sampling
NCTC	800	10	Simple sampling
KECOSCE	500	20	Simple sampling
Academicians	300	5	Purposive sampling
TOTAL	3,000	80	

This sample comprises of five categories as indicated in the table 1.1 above. Sampling for each category applies different sampling techniques as indicated on the table above. The respondents expected to provide answers to the research questions.

1.9.6 Sampling and Sampling Procedure

The study conveniently sampled senior staff at the Counter Terrorism Police Unit (CTPU), MUHURI NGO, NCTC, KECOSCE and academicians. Purposive and simple sampling procedures were selected based on the accessibility and proximity of participants to the researcher in hindsight of the characteristics of the target population and the objectives of the study.⁷⁶

1.9.7 Research Instruments

Structured interviews were conducted at the offices of the targeted participants. The interviews were audio-recorded for further analysis with the approval of the participants. Where participants were not comfortable with being recorded, the researcher took notes during the interviews. The questionnaires were administered to the targeted sample of the study.

1.9.8 Data Processing and Analysis Technique

This research employed content analysis to examine data obtained for better understanding. Qualitative data was analyzed by use of content analysis so as to aggregate the broad information obtained to a more manageable set of aspects to compose a variable. The data obtained was utilized in making informed conclusions and making recommendations to various groups that could be interested in the outcomes of the study. Again, the researcher honed research and data manipulation skills.

⁷⁶ Check, J. & Schut, R. (2011). *“Research Methods in Education”* . London: SAGE Publications.

Quantitative data was analyzed by use of SPSS and EXCEL. Statistical Package for Social Sciences (SPSS) is software used to analyze data in order to produce a characteristic pattern between different data variables. Excel is one of the common software's for data analysis, it is usually effective in analyzing large amounts of data to discover trends and patterns that influence decisions. The outcome of data analysis from both SPSS and EXCEL was compared and used to test hypothesis of the study.

1.9.9 Ethical Considerations

Given the sensitivity of the topic of study, the researcher was keenly aware of the risks that face participants as a result of their involvement in the study. As a result, the researcher reiterated the need to conduct interviews at locations where the participants perceive they are safe. At the same time, the researcher provided clear guidelines from the police force on the use and utilization of data obtained for academic purposes. The data sought was exclusively used for academic purposes and information thereby it was secured to avoid unauthorized access and potential terror attack implications on participants and the country at large.

Considerations pertaining to professional practice were observed to the utmost. This entailed using reliable research instruments and reporting accurate data throughout the study. The study and the researcher observed confidentiality, and allowed only voluntary participation with liberty to withdrawal from the study. Research approval was sought from the University and field research permit was also obtained from the National Council for Science and Technology. Furthermore, participants were given informed consent forms to fill and sign before commencement of the study. To allow validity, participants were free to withdraw from the study.

1.10 Outline of the Study

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

Chapter two has examined the current counter terrorism measures in Kenya.

Chapter three assessed the effectiveness of counter terrorism measures in Coastal region of Kenya.

Chapter Four Chapter four has investigated the challenges faced by the government of Kenya in countering terrorism.

Chapter Five presents the summary of the key findings, conclusions and recommendations of the study findings.

CHAPTER TWO

COUNTERTERRORISM MEASURES IN KENYA

2.0 Introduction

The phenomenon of terrorism in 21st century has caught many countries off-guard and without proper understanding of its complexity. This has made many countries such as Kenya to establish counter terrorism measures both to combat terrorism and campaign against radicalization. Recently, the need to counter terrorism has preoccupied security doctrine of every country. In Kenya for instance, there is established a National Counter Terrorism Center (NCTC) as well as Anti-Terror Police Unit to deal with terror menace. Therefore this chapter examines the counter terrorism measures in Kenya.

2.1 Demographic Characteristics

This section covers explanation on targeted respondent groups.

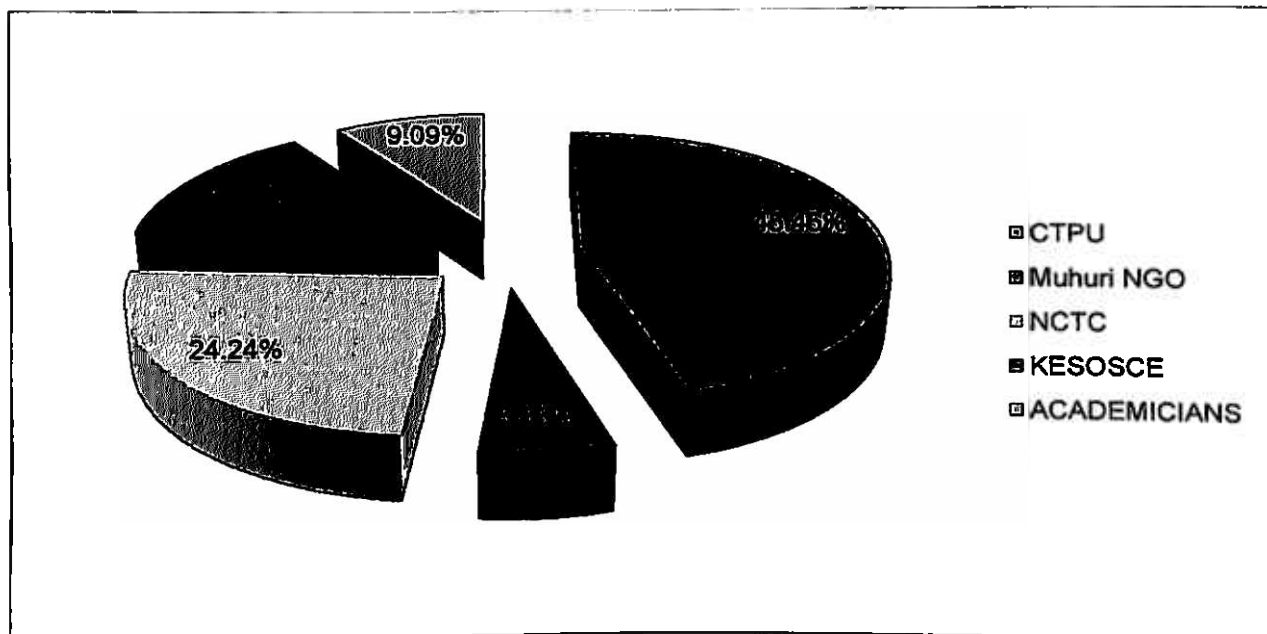


Figure 2.1: Demographic Characteristics

Since this study sought to examine the influence of counterterrorism measures and their effectiveness, 45.45% of respondents were CTPU; they represented the largest percentage of the total respondents. CTPU was critical part of the study since they gave information regarding counterterrorism measures and their effectiveness. NCTC covered 24.24%, NCTC helped in understanding the multi-agency mechanisms put in place to warrant Kenyans counterterrorism strategy and guidelines relentlessly adapt changing complexity of terror. NCTC is a multiagency comprising of all security agencies. KECOSCE covered 15.15%; KECOSCE is an NGO with most of its activities in Mombasa, Lamu and Kwale. KECOSCE supports, empowers and strengthens the capacity of young leaders and civil societies working to prevent and respond to manifestations of insecurity such as violent extremism. KECOSCE also conducts research to establish the drivers to violent extremism and effectiveness of counterterrorism measures. KECOSCE provided information regarding effectiveness of counterterrorism measures such as proposing of peaceful strategies which can be implemented to counter terrorism. MUHURI NGO covered 9.09%; MUHURI NGO is based in Coast. As human rights organizations MUHURI NGO views terrorism as a form of crime like others, therefore there is no need to suspend rights of alleged terror suspects and sympathizers. The organizations has also been creating awareness against radicalization as well as empowering youth. MUHURI NGO gave information regarding peaceful approaches to counter radicalization. Academicians comprised of 6.06% of total respondents.

2.2 Gender Representation

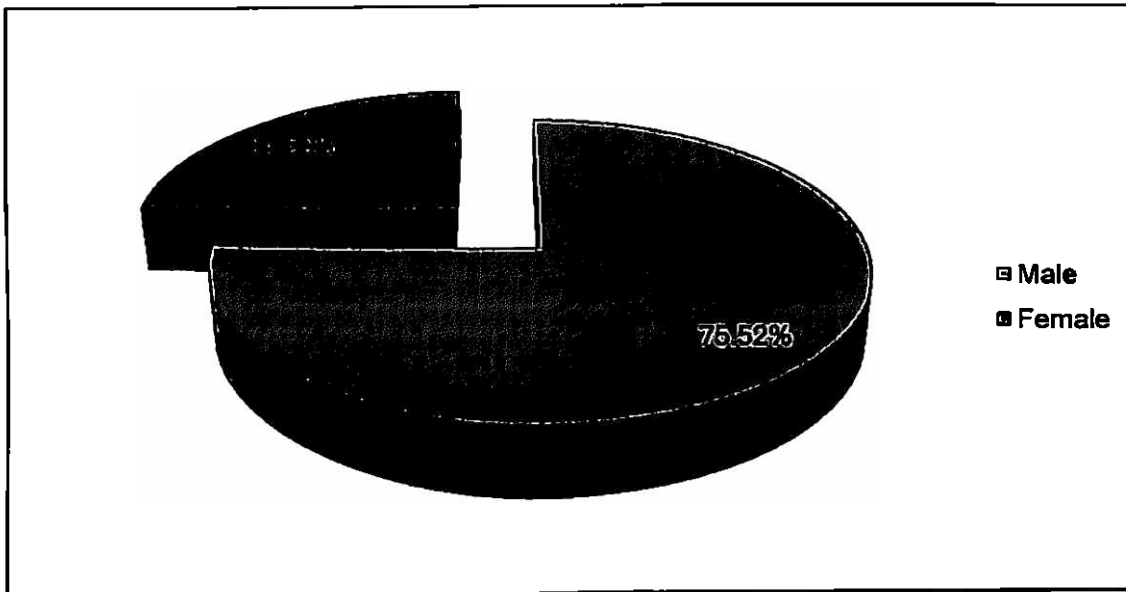


Figure 2.2: Gender Representation

The highest number of respondents was male which covered 75.52% of the total respondents while Females covered 24.5%.

2.3 National Counter Terrorism Center (NCTC)

Due to escalation of attacks from terrorism groups which caught security agencies flat footed without any effective measures to counter the vice, Kenya realized the need for multifaceted strategies to address the looming danger to its national security. This led to development of NCTC through a security act of 2003. Lusweti observes that NCTC is a multiagency instrument that groups security strategies to coordinate counter-terrorism in Kenya. Among other things, the multiagency facilitates capacity building in checking terrorism, raising awareness on terrorism

and developing security strategies to counter radicalization and foster deradicalization.⁷⁷ According to Okoro, the formation of NCTC appeared as an ultimate strategy to quell threat of terrorism in Kenya especially from imminent threat of Al-Shabaab from Somalia; however despite equipping the security agencies with state of art weaponry as well as effective sharing of intelligence between different agencies, the complex phenomenon of terrorism requires a more sophisticated holistic approach.⁷⁸

Mustafa opines that NCTC firstly misquoted terrorism hence the agency took a wrong approach to address the phenomenon of terrorism. The NCTC militarized the State security against violent extremism instead of addressing it through human or people centered security approach. For Mustafa, Kenya needs to first non-securitize the issue of terrorism within the established security agencies and approach it with human security lens through integrative and collaborative formation of community security which involves both civilians and security agencies. Additionally, the scholar views countering terrorism as a huge task to be bestowed only within the security bodies as NCTC had originally approached it. This is particularly because hard power concepts such as compellence and deterrence are to a greater extent ineffective when it comes to countering terrorism in global world where terrorists themselves have become much amorphous, very mutative and innovative with frequent changes on tactics which are far beyond imagination of security agencies.⁷⁹ This corresponds to one of the respondents who argue that

⁷⁷ Michel Lusweti (2019), "*The Change of Tack In Combating Terrorism in Kenya*". The Holistic Approach to Counterterrorism measures in Kenya. An international Journal of Arts and Humanities, Vol.2, No. 1, Serial 7, (2019) PP-12-14.

⁷⁸ James Okoro, (2017), "*Terrorism and Kenya Counterterrorism Strategy and it's on Terror Attacks*", Foreign aid as counterterrorism strategy and collaboration with African Mission in Somalia (AMISSOM), Published by global Journal of Studies on 2nd June 2017. P-3.

⁷⁹ Ali Y. Mustafa (2017), "*Counter-Measures to the Radicalization of Youth Into Terrorism in Africa: The case of Building Resilience Against the Violent Extremism (BRAVE)*" Countering Terrorism in 21st Century. A publication

“Use of hard power to counter terrorism is largely ineffective because terrorists don’t fight a conventional warfare; however they use guerilla tactics in their attacks, which explains why Kenya is still susceptible to Al-Shabaab terrorist attacks despite deploying their military to Somalia to crush and terminate existence of Al-Shabaab militants”.

Opala observes that the counter-terrorism strategy in Kenya has not yet employed the preventive terrorism measures such as collaboration with non-State actors, for instance before Dusit D2 attack, the neighbors of the plotters were suspicious of the strangers, yet they did not alert the security personnel. Additionally, the strategy does not address the main problem of systemic breakdown of police especially due to corruption.⁸⁰ Conversely, Kagwanja views that the counter terrorism systems by NCTC as uncoordinated, weak and without clear strategy. This is partly attributed to the fact that prior to 2010 Kenya did not view itself as a target to terrorism but it viewed itself as part of collateral damage in terrorism attacks as was in 1998 bombing of American embassy in Nairobi. However, Kagwanja views that after promulgation of new constitution in 2010, Kenya has considered terrorism as a prime existential threat to its national security which needs to be addressed. Despite this understanding, Kenya has not adopted holistic approach to counter violent radicalization on its soil, even in the knowledge that contemporary terrorists are not foreigners but native citizens. Kagwanja opines that if Counter terrorism measures are to succeed, there is need to have a critical balance between application of hard

of the Institute of Diplomacy and International Studies, University of Nairobi. Vol 1, ISSN No. 2415-024X. PP, 63-65.

⁸⁰ Ken Opala (2019), “*How Corruption and Impunity Aid Terrorism in Kenya*”, Country has been hit many times and it’s not for reasons security personnel usually give. An article published by Daily Nation, Kenya on Saturday, February 16th 2019.

power and soft power in efforts to eventually win heart and minds of potential terrorists and already radicalized ones.⁸¹

2.4 Countering Financing of Terrorism

International Monetary Fund (IMF) defines money laundering as the process by which the origin of funds generated through illegal means such as corruption, drug trafficking, terrorism and gun smuggling is concealed and cleaned back to the economy.⁸² Money is one of the crucial factors facilitating terrorism operations. This therefore, implies that in order to win the war against terrorism countries must counter money laundering. Ngugi posits that in the past, ineffective legislations have made Kenya to be a hotspot of money laundering in the world with dire implications on security. This is because terrorist groups have exploited the weak global financial systems to transfer huge amounts of money in order to fund terrorist activities especially in developing countries. The Hawala system of money transfer has for long been speculated to be aiding Al-Shabaab in transfer of money. The Hawala system of money transfer is actually based on mutual trust of both parties hence it does not involve bank transactions in most cases, this makes it hard to track the exact amount transacted as well as detecting how the money is being used. This has in past made terrorists and in particular Al-shabaab, to transact huge amounts of cash through Hawala system that successfully finance terrorism activities in East Africa region.⁸³

⁸¹ Peter Kagwanja (2016), "*Counter-Terrorism Architecture as a Pillar to Regional Security*". Kenya's bold experiment in balance of imperatives of Security with those of deepening democracy and need for balance between Hard and Soft power in Fight against violent extremism and radicalization. An article Published by ReseachGate on July 2016, PP-3-6.

⁸² International Monetary Fund (IMF), 2016 report on Money Laundering.

⁸³ Brian Ngugi (2013), "*U.S puts Kenya on List of Cash Laundering Hotspots*", Global money laundering key to the financing of terrorism activities in Middle East and Horn of Africa. Understanding terror networks in Globalized world. Published by European Journal of Social sciences on 2016. PP, 43-46.

One of the respondents of the study cited that “Terrorism can only exist and spread as much as it is financed, therefore ensuring that terror groups if not financed would make them functionally inactive since they can’t finance their radicalization and offensive operations”. It was against this backdrop that in 2014, Kenya deregistered more than five hundred NGOS and accused fifteen of them as having direct links with terrorism activities. The organizations were revoked because of their inability to submit audited financial records.⁸⁴

Ali contends that in efforts to counter of money laundering within the region, Kenya has ratified its membership in Eastern and Southern Africa Anti-Money Laundering Group. Since 2010, Kenya’s effort in implementation of anti-money laundering legislation was recognized. This is largely due to enactment of two key legislations by parliament which include Proceeds of Crime and Anti-Money Laundering Act (POCAMLA) in 2009 which effectively established a Financial Reporting Center (FRC) which is charged with the mandate of investigating the transfer of money within the financial system in order to detect money laundering. Secondly, there was legislation of Prevention of Terrorism Act (POTA) in 2012 which charged FRC with mandate of countering financing of terrorism.⁸⁵ Equally, Robert argues that in October 2012, Kenya was recognized by FATF due to its progress in anti-money laundering as well as improved legislation to prevent financing terrorism. The Central Bank of Kenya has also ordered

⁸⁴ James woofers (2014), “*Kenya Revokes Non-Governmental Organizations in Anti-terror Clampdown*”, Kenya tightens security following deadly attacks by militants. Published by BBC world news on 16th December 2014. Reuters. P-29.

⁸⁵ Ibrahim Ali, (2018), “*Laws Promoting Financial Integrity Geared in Kenya in Light Increased Terror Attacks*” Current strategies geared towards merely being seen to work frustrate investor in Kenya. An article Published by Research Gate Journal of Studies on 2018. PP-2-4.

termination of all informal money transfer system and enacted stringent money laundering laws upon all commercial banks.⁸⁶

Jerotich asserts that terrorism and corruption are the two main issues which Kenya is grappling with. Terrorism thrives on steady flow of money to finance their nefarious attacks against innocent civilians. According to him, the government can easily paralyze operation of terror groups through denying the terror architects the platforms to transfer money freely within the financial market. This requires strict adherence to anti money laundering policies by banks including probing further to establish their customers source of money as well as their intended use of money when withdrawing large sums. Based on Jerotich's point of view, the adherence of banks to anti money laundering policies will finally push the corrupt one from use of banks hence terror groups will be paralyzed since they can't operate without cash.⁸⁷ Additionally, Buku notes that in 2016 Central Bank of Kenya (CBK), issued banking circular No. 1 on large cash transactions which many people including the legislature opposed viewing it as a draconian and unjustifiable requirement. This is because the circular required that anyone depositing or withdrawing more than a million Kenyan shillings to clearly illustrate the source and use of the withdrawn funds. This also involves monitoring customers' transactions and reporting any suspicious money transactions conducted by bank customers for investigation in efforts to detect terrorist activities.⁸⁸

⁸⁶ Robert Murky, (2017), *"Tracking Money Laundering and Countering Financing of Terrorists"* After dirty money is sanitized by passing it through the banking system, it is utilized for legitimate investment in the economy. Published journal of Economic Studies, Berkeley University. P-13.

⁸⁷ Mercy Jerotich (2019) *"Tinker Not With Money Laundering Laws"*, Corruption and terrorism remains the biggest security threat Kenya has to grapple with. Published by East African Journal. P-33.

⁸⁸ Mercy Buku (2019), *"Central Bank of Kenya and its Powers to Fight Against Money Laundering"*. Banking Circular No. 1 of 2016 (Additional guidelines on Large cash transactions to counter looming money laundering within the financial systems. An article Published by Business Daily on April 15th 2019. P-12.

2.5 Deployment of Military Forces

Just like it has been in many other countries, Kenya has also deployed its military to counter the threat of terrorism. Kiplangat argues that after series a of terror attacks along the Kenyan Coast especially targeting the tourists, Kenya deployed Kenya Defense Forces (KDF) in Somalia to fight against Al-shabaab militants. Kiplangat views that the KDF strategies in fight against Al-Shabaab are to a greater extent successful since terror attacks have declined. The troops deployed in Somalia and Boni forest have actually neutralized terrorist plans not only in Kenya but in the region at large.⁸⁹ This corresponds with one of the respondents who cited that “Deployment of KDF in Somalia and Boni forest since 2011 has immensely declined terror attacks in Kenya as well as weakening the capacity of Al-Shabaab who had previously launched attacks within the country anytime at their will”.

Franceschi holds a completely different view on effectiveness of military in countering terrorism activities. The Scholar argues that military action on terrorism is something not sustainable and it cannot end determined terror group since military is only offensive hence it cannot win the hearts and minds of individuals involved in terror, instead it hardens their resolve on terrorism. Franceschi views that presence of KDF in Somalia has little effect on degrading the capacity of Al-Shabaab since a terrorist can be anybody, anywhere especially in the globalized world. Therefore the war against terrorism is not ending anytime soon if countries continue to use military as a solution. For Franceschi, the most effective solution to terrorism lies on development and general because of welfare of the citizens, the phenomenal of terrorism is closely associated

⁸⁹ Jeremiah Kiplangat (2018), “*The Success of Kenya Defense Forces In Fighting Al-Shabaab in East Africa Region*”. The impact of KDF presence in in Somalia and Boni Forest makes the region more secure. An Article published by ResearchGate. PP, 43-46.

with poverty since terror groups mostly recruit the poor who are disillusioned due to lack of material resources.⁹⁰

2.6 Intelligence Gathering

The most key to countering terror attacks is timely, effective and sufficient intelligence. Maluki observes that since the gruesome attack by terrorists in Westgate Mall, Kenya security agencies have since established properly coordinated partnership to counter terror attacks. After Westgate attack, Kenya security agencies realized that intelligence is the key element to combat terror attacks; this led to upgrading of intelligence mechanisms with state of the art surveillance instruments in order to avoid another instance whereby the agency would be caught completely off-guard.⁹¹ One of the respondents cited that “effective intelligence helps the security agencies to learn more about the intentions of the enemy thus preempting terror attacks earlier before they happen; arguably, the Kenyan intelligence service has remarkably improved in intelligence gathering and analysis following the experiences of Garissa University attack and the more recent DusitD2 attacks”.

Farah observes that there was no prior intelligence towards the terror attack of Dusit D2 restaurant. This rendered Kenya security agencies to only launch quick reactionary response as opposed to pre-emptive one which could have thwarted the attack way before it was actualized. As a result, Farah suggests, there is urgent need to improve intelligence gathering systems in

⁹⁰ Luis Franceschi (2018), *“How Often Does War Succeed In Ending Terrorism?”* Military action needs to be kept in check always and it should be accompanied by more inclusive approaches. Published by Turkish Journal of international relations. P-67.

⁹¹ Patrick M. Maluki (2019), *“How Kenya Security Forces Made Sure they Responded Better This Time”*, Senior Lecturer University of Nairobi, Institute of Diplomacy and International Studies. An article Published by ResearchGate on January 2019. P-1.

order to frustrate and outsmart terrorist plans. This involves bestowing more efforts on intelligence connection, analysis as well as dissemination intelligence in timely manner.⁹²

2.7 Kenya Partnership with the U.S to Combat Terrorism

Ever since the stupendous event of September 11th 2001, Kenya has emerged as one of the key partners of U.S in Africa to combat global war on terror. McCarter observes that the strategic alliance between Kenya and U.S has enhanced the countries capacity to fight terrorism as well as ensuring that Kenya is not used by terror groups as terrorist gateway to East Africa. This is because of geographical proximity of Kenya to unstable Somalia as well as Kenya being the sub-regions economic power house and the main gateway to the other East African Countries. Therefore if terrorists prosper in destabilizing Kenya, they could as well easily succeed in destabilizing the whole East Africa sub-region phenomenon which U.S can't allow due to its both economic and security interest.⁹³ One of the study respondents cited that "Kenya partnership with U.S has helped to neutralize terror attacks in the region while also making Kenya a target of terror due to this collaboration".

Aronson observes that the U.S department of Anti-Terrorism Assistance Program (ATA), has extensively funded counterterrorism programs in Kenya since 2001. This happened through training of Anti-Terror Police Unit (ATPU) and issuing free sophisticated weaponry both to the police and KDF in operations to support internal security agencies and fight against Al-Shabaab in Somalia. For instance, in 2015 the U.S heavily funded KDF with US \$92.4 million, specifically for training of soldiers, purchase of modern weaponry and sustenance of KDF in

⁹² Ibrahim Farah (2019), "*Effectiveness of Counterterrorism Strategies in Kenya*". Country report on terrorism conference 2019. Africa Policy Program. Published by Jstor, P-7.

⁹³ Kyle McCarter (2019), "*U.S Reassures Kenya of Continued Support in the War against Terrorism*". Collaboration to combat global war on terror. An Article published by Research Gate on March 12, 2019. P-1.

Somalia. Nkala argues that Kenya used part of U.S grant for counter terrorism to buy Unmanned Aerial Vehicles (UAV) worth 1.9 billion shillings. The UAV has helped on surveillance of porous border between Kenya and Somalia. Furthermore UAVs have been credited for improved intelligence gathering in Kenya.⁹⁴ Aronson claims that the ATA program in Kenya is the largest and the most heavily financed by U.S government across Africa countries. In Lamu, U.S has funded a training camp which serves as Maritime Police Unit along the Coast aimed to solely deter attacks by terrorists. Albeit the stated efforts, some critics view that the collaboration of U.S with Kenya in matters of terrorism has made Kenya to be caught in crossfires especially by Al-Shabaab group.⁹⁵

2.8 Construction of Border Wall on Kenya – Somalia Border

The progressive terror attacks in 2015, made Kenyan government to opt on construction of border wall along its border with Somalia for a purpose of preventing infiltrations by terrorists to Kenyan soil. Galvin views the dream of Kenya to construct border wall in effort to combat terrorism as something improbable because terrorism does not recognize boundaries, weak or strong States. In addition, globalization and technology makes it impossible to apply physical boundaries in response to terrorism.⁹⁶ Conversely, Yussuf observes that building a wall to limit infiltration by terrorism is a futile measure which cannot yield any meaningful results instead the funds to the wall could be more effective when they are invested to improve capacity of

⁹⁴ Oscar Nkala (2015), "*Kenya Gets U.S Funds For Counter Terrorism War*". Partnership between U.S and Kenya in Fight against global terror. Mideast Africa, Published by defense News on August 6, 2015. P-1.

⁹⁵ Samuel Aronson (2017), "*United States Aid to Kenya: A study on Regional Security and Counterterrorism Assistance Before and After 9/11*". Published by African Journal of Criminology and Justice studies. AJCJS. Vol.5. #S1 &2. P P, 33-35.

⁹⁶ Marc Galvin (2015), "*Combating Terrorism on the Somalia Border: The Improbable Kenya Dream to Deter terrorists*". Addressing Global Challenges. Epidemic of Walls in UN free World. Issue No.4. Research Office, Graduate Institute, Geneva. P-17.

intelligence gathering and analysis.⁹⁷ On the other hand Robert views that the move to close Dadaab refugee camp was initiated by realization that there existed Al-Shabaab cells in Dadaab where terrorists used to be recruited to terror groups as well as plan for terror attacks. This necessitated repatriation of refugees back home and closure of border to prevent further infiltration.⁹⁸

2.9 Chapter Summary

This chapter has discussed various counterterrorism mechanisms used by Kenya in fight against the wanton terror attacks. The major mechanisms include; deployment of military, establishment of National Counter terrorism Center (NCTC), Countering financing of terrorism, Effective gathering of intelligence, Collaboration with U.S and Border surveillance. Despite the phenomenon of terrorism being not new, until 2010 Kenya had not initiated proper legislative and strategic initiatives to combat terrorism due to prevailing believe that terrorism was only anti-western threat and thereby Kenya was only a victim of crossfires due to its partnership with western countries. However, recent rampant attacks by terror groups have made the country to compose and reposition its security agencies in combat against terror.

2.10 Chapter Findings

In respect to counter terrorism measures in Kenya, the chapter makes a number of findings. First the chapter has noted that use of hard militaristic approach alone, have already been proven to be quite ineffective to fight global terrorism. Effective counter terrorism measures need to harness together both military capabilities and other peaceful programs within the enclave of NGOs, civil

⁹⁷ Ibid, P-2.

⁹⁸ Ibid, P-123.

societies and embracing the whole concept of human security in order to holistically win the hearts and minds of perpetrators and sympathizers of terror. Secondly, the chapter has identified that Kenya has to a large extent relied on use of offensive capabilities to fight terrorism. This is exhibited by Operation Linda Nchi “Guard the Country” which involved deployment of military in Somalia. Thirdly, although Kenya has improved its intelligence gathering especially since Westagate Mall attack, there is yet much which needs to be done in order to quell terror attacks. This is exhibited by the fact that preceding Dusit D2 attack, there was inadequate intelligence making security agencies to mainly rely on reactionary response as opposed to intelligence led pre-emptive response. Lastly, the study has identified that the main challenge to counter terrorism measures as the link between poverty, corruption and terrorism.

CHAPTER THREE

EFFECTIVENESS OF COUNTER TERRORISM MEASURES IN COASTAL REGION OF KENYA

3.0 Introduction

Kenya has made great efforts in developing counter terrorism measures to deter terror within its borders. The lack of clear counter terrorism measures in the past was cited as one of the main reasons Kenya was a terror target and continued being threatened by terrorism. Several counter terrorism measures have been adopted by Kenya and involves both hard and soft power strategies. Hard power approaches has mostly involved the use of security organs to counter terrorism and terror related activities while soft measures has included initiating programs to counter terrorism and violent extremism. This chapter assesses the effectiveness of counter terrorism measures in Coastal region of Kenya. Primary and Secondary data have been used in the study.

3.1 Security Intervention Measures

Security intervention measures to counter terrorism in Kenya have mostly involved the use of security agencies like the Kenya Anti-Terrorism Police Unit (ATPU), the Kenya Defence Forces, and the Kenya Police service to counter terrorism in the country. Cooperation between these security agencies had been previously found to be uncoordinated in countering terrorism and the government in an effort to have a holistic approach, decided in 2015 to divide its counter-terrorism security organs functions into three branches; namely the Kenya Police, the Directorate of Criminal Investigations and Administration Police service. Security was reorganized to operate under different services or agencies with the Tourist Police Unit (TPU), operating under the Kenya Police, Anti-Terrorism Police Unit (ATPU) under the Directorate of

Criminal Investigations and Rural Border Patrol and Maritime Interdiction Units under the Administration police. The Kenya Defence Forces and National Intelligence Service (NIS) were also to work jointly with the three branches in countering terrorism. This multi-agency approach has yielded fruit in the last few years ever since its launch and a number of its counter terrorism activities has resulted in the disruption of terror plots, arrest of terror suspects and discovery of terror networks.⁹⁹ The success of the approach is notable from the significant reduction of large scale attacks similar to the magnitude of Mpeketoni attacks that occurred in 2014 in Lamu County in the coastal region. Examples of cases that have been contained by Kenya's multi-agency approach include the interception of a Vehicle Borne Improvised Explosive Device (VBIED) that had been intended for deployment in an unspecified area in the coastal region and the arrest of hundreds of radicalized youths who were attempting to cross into Somalia through Lamu in 2016. One of the respondent's for this study stated in an interview that: The multi-agency approach adopted by Kenya to counter terrorism was first seen as an experimental approach with no clear certainty on its success, but so far it appears to be effective in tackling terrorism in the region considering we have not had any cases of attacks recently.

3.2 Deployment of Additional Security Personnel

The government in 2016 decided to deploy additional security personnel to the coastal region, especially in Lamu which had been affected the most by terror attacks. The deployment of additional security personnel focused on areas considered to be vulnerable to terror attacks in the region and focused specifically on Lamu because of its proximity to Somalia. Kenya's border with Somalia in Lamu is considered to be a transit point where terrorists from Somalia can

⁹⁹Ayiera, E. A. (2015). *Local Policing Accountability in Kenya: Challenges and Opportunities for Action*. Nairobi:Centre for Human Rights and Policy Studies.

conduct attacks in Kenya and flee back to Somalia¹⁰⁰. Ample evidence exists that indicate that the terrorists who planned and launched a terror attack in Mpeketoni in 2014 transited from Somalia and returned after the attacks¹⁰¹. Lamu and parts of coastal region has realized relative peace ever since the deployment of additional security officers in the area and has been free from attacks.

3.3 Border Wall between Somalia and Kenya

In 2015, the Kenyan government announced that it had plans to construct a wall along Kenya's border with Somalia starting from the coastal region of Lamu in an effort to lock out illegal immigrants and terror militants. This was out of the realization that terrorists took advantage of Kenya's scarcely controlled land borders to move operatives and conduct attacks in the country.¹⁰² The proposed 684 kilometer wall is to consist of fences, concrete barriers, observation posts and ditches stretching from Lamu to the town of Mandera where Kenya, Ethiopia and Somalia borders converge. Even though construction of the wall has halted, the short section constructed so far has lowered attacks to the coastal region and has worked to prevent transit of terrorists including radicalized Kenyans crossing to Somalia to join Al-Shabaab. In 2017 for example, police apprehended five Kenyans on suspicion of attempting to cross the border to join Al-Shabaab.¹⁰³ In 2018, three ISIS suspects alleged to be facilitating

¹⁰⁰ Cannon, B. J. and Pakalya, D (2017). *Why Al-Shabaab attacks Kenya: Questioning the Narrative Paradigm*. Terrorism and Political Violence, 1-13.

¹⁰¹ The Star (2015). *Al Shabaab still a major security threat to Kenya – returnees*, November 18, 2015.

¹⁰² Opon, O. & Onkware, K. (2015) Immigration border control human resource challenges and opportunities affecting counter-terrorism strategies in Kenya: *International Journal of Education and Research*, 3(5), 301.

¹⁰³ *Ibid.*

travel across the border were arrested¹⁰⁴. The government of Somalia and Kenya entered into an agreement in 2016 to establish shared entry and exit ports at the border so as to improve the monitoring of movement across the two countries.¹⁰⁵ During one of the field trips for this study, a respondent stated “the little constructed section of the wall has helped lower attacks in this region and we encourage the government to complete its construction.” The little constructed section of the border wall has therefore been effective in locking out terror suspects and illegal immigrants.

3.4 Strengthened Capacity for Security Organs

With the help of international actors, the Kenyan government has strengthened capacity for its security organs to detect, disrupt and possibly dismantle terror networks operating in the country. In 2015, Kenya in collaboration with the United States government signed an agreement to establish inter-agency Joint Operations Centers at the country’s border crossings and ports of entry including those in its north coast region to facilitate information sharing and establish traveler screening. The United States Department of State’s Anti-terrorism Assistance (ATA) program has offered training in border security operations to rural Border Patrol Unit in the coast region.¹⁰⁶

3.5 Challenges in Implementation

Even though the Kenyan government is making extensive efforts to counter terrorism in the coastal region, certain harsh aspects of its implementation has triggered conflicts between the

¹⁰⁴ Maszka, J. (2018). *Al-Shabaab and Boko Haram: Guerilla Insurgency or Strategic Terrorism?* New Jersey: WorldScientific Publishing Europe Ltd.

¹⁰⁵ Ndombi, S. & Auya, C. (2016) *Defensive Counterterrorism: Effectiveness of screening on preventing terror.*

¹⁰⁶ Bowman, T. (2017). *US grand strategy for countering Islamist terrorism and insurgency in the 21st C.* International perspective. London: Praeger Security International. Brooks.

government and citizens in the region, especially those who profess Islamic religion. Muslims in the coastal region have accused the government of unfairly targeting them while also claiming those acts of extrajudicial killings, disappearances, torture and arbitrary detentions by security forces have breached their human rights. Kenya's security organs have also been accused of slow response to sporadic attacks conducted by Al-Shabaab and that cooperation between the police and the KDF is not well coordinated.

3.6 National Strategy to Counter Violent Extremism

The government launched the National Strategy to Counter Violent Extremism (NSCVE) in September 2016. Its launch expressed commitment by the government to use soft approaches to complement its use of hard measures to counter terrorism. NSCVE was launched out of the growing concern that radicalization was rising among the Kenyan Muslim population causing them to engage in terror related activities. Security experts had noted that the Kenyan government security strategy had not only resulted in general decrease of Al-Shabaab's terror activities but also their online radicalization activities. NSCVE initiatives therefore were to be in response of countering the increasing levels of radicalization, home-grown violent extremism and terror related activities. Through the National Counter Terrorism Centre (NCTC), the government has worked to implement NSCVE in Coast region through county-level action plans.¹⁰⁷ NCTC has involved county governments, civil society organizations and security actors in launching action plans in Mombasa, Lamu, Kwale and Kilifi Counties.¹⁰⁸ NSCVE has further

¹⁰⁷ Badurdeen, F. & Goldsmith, P. (2018). *Initiatives and perceptions to counter violent extremism in the coastal region of Kenya*. Department of Social sciences: Technical University of Mombasa.

¹⁰⁸ Ogada, M. (2017). *Emerging Developments in Countering Violent Extremism and Counter terrorism in Kenya*. Nairobi: Centre for Human Rights and Policy Studies.

seen the Kenya Police in Coastal counties participate in dialogues on managing post-traumatic stress disorders, community policing, and early warning and response programs.

Several NGOs are also working with the government's NSCVE on CVE programs in the coastal region and many of the projects have focused on preventing the recruitment of young people into violent groups, countering extremist messages, building resilience amongst communities and finding solutions for inter-community grievances.¹⁰⁹ CVE programs have been motivated by the need to end radicalization in coastal region. Radicalization of young people has caused concern in Kenya especially since 2012 when a UN Monitoring Group for Eritrea and Somalia reported that Kenyan youth were being recruited in hundreds to join Al-Shabaab in Somalia.¹¹⁰ The youth mainly come from urban informal settlements of Nairobi, North Eastern and Coastal regions of Kenya and comprise the largest contingent of fighters for the Al-Shabaab terror group. UN reports that Al-Shabaab not only recruits the youth as fighters but also offer them training as suicide bombers.¹¹¹ Closer scrutiny has therefore been justified in the circumstances that make Kenyan youth increasingly vulnerable to recruitment and radicalization in terror organizations like Al-Shabaab. Badurdeen reports that youth from coast region are the most vulnerable due to their proximity to Somalia and poverty, discrimination and lack of opportunities in education and employment are identified as some of the factors pushing the youth to be recruited by terror organizations.¹¹² An estimated 25 percent of Al-Shabaab terror group ranks are Kenyans and Al-

¹⁰⁹ Botha, A. (2013). *Assessing the vulnerability of Kenyan youths to radicalization and extremism*. Pretoria: Institute for Security Studies.

¹¹⁰ United Nation Report (2012). *Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution*.

¹¹¹ Ibid.

¹¹² Badurdeen, F. A. (2018). *Online Recruitment and Radicalization: Al-Shabaab luring strategies with new technology*, Nairobi: Centre for Human Rights and Policy Studies.

Shabaab primarily recruits Muslims along the Kenyan coast.¹¹³ School heads in coastal region reported that Al-Shabaab had previously infiltrated their institutions, recruiting the youth and students to their cause but thanks to the many NGOs working in the region together with government agencies, they have managed to save their schools from Al-Shabaab and established resilience.

NSCVE county government action plans focuses on specific pull factors to violent extremism and seeks to address those factors through county specific intervention measures. The action plan for Kwale County has been hailed as the most commendable in the region since it is the first initiative of countering violent extremism at the county level. This has motivated the counties of Kilifi and Lamu in the coastal region to develop similar plans to address violent extremism.

3.7 County Specific Intervention Measures

County specific intervention measures to counter terrorism and prevent violent extremism in the coastal region can be categorized into primary, secondary and tertiary measures. Primary intervention measures are based on a broad model that targets the entire counties of the region. The main focus of the interventions has been to mitigate the root causes of extremism by trying to address existing social grievances of the populations that are sympathetic to violent extremist groups and has included supporting social engagement programs, youth and cultural development programs.

Secondary intervention measures have sought to identify groups and individuals identified to be at-risk of violent extremism. Intervention measures employed at this level has included counter-

¹¹³ Badurdeen, F. & Goldsmith, P. (2018). *Initiatives and perceptions to counter violent extremism in the coastal region of Kenya*. Department of Social sciences: Technical University of Mombasa.

messaging and community engagement. This has entailed the disruption of existing channels favourable for radicalization by seeking out enabling factors like peer influence in recruitment and radicalization of youth. Counter measures has included the closing of channels that promote extremists ideologies, apprehending the recruiter or promoter of ideology and addressing the ideologies of an extremist group. In coastal region of Kenya, many interventions countering radical ideologies have been spearheaded by institutions like Supreme Council of Kenya Muslims (SUPKEM), Imams and Preachers of Kenya (CIPK), and Building Resilience Against Violent Extremism (BRAVE). These institutions have been at the fore-front in generating critical arguments that have countered religious basis for Islamist ideology that is seen as radical. They have also gone further and replaced the hadith and Quran verses that are frequently misused by extremists.¹¹⁴ BRAVE has used religious scriptures in engaging radical preachers in theological debates while CIPK and SUPKEM have focused on prevention strategies grounded on the use of religion to draft intra-faith and inter-faith dialogues amongst diverse actors.

Non-governmental organizations like Haki Africa, Muslim for Human Rights and Kenya Community Support Centre have been at the forefront of conducting public awareness campaigns and these campaigns have been effective in discouraging the youth from joining terror and extremist groups. These organizations have also brought together local government, national institutions, community representatives and religious entities from the coastal region in the launch of awareness campaigns that has assisted vulnerable groups and communities from engaging in terror and extremist activities. The Coast Interfaith Council of Clerics (CICC) for example, continues to conduct interfaith dialogues between religious leaders, youth and

¹¹⁴ Brett, J. and Kahlmeyer, A. (2017). *Strengthening Resilience to Violent Extremism*, Strive Horn of Africa: Evaluation Report.

government officials to promote faith as a driving mechanism for CVE. CICC and CIPK have also engaged religious leaders in reaching out and building capacity for the youth and has helped in detecting signs of radicalization early. They have also trained mosque monitors to observe attendance in mosques and assess content of sermons. This initiative has strengthened preaching skills, directed sermons on issues important to the youth and safeguarded reputation of mosques.¹¹⁵

3.8 Early Warning and Response Programs

A number of NGOs with the help of government security agencies have launched early warning and response programs to gather information in the communities and identify early signs of terror related activities. The programs have been effective in giving the police crucial intelligence from the community on specific terror activities, suspected terror suspects and extremists preaching. Introduction of the Nyumba Kumi initiative for example, has been praised in the coastal region for having gathered information on the factors fuelling radicalization and reported it to the local security agencies for action.¹¹⁶

Tertiary intervention measures on CVE has incorporated approaches aimed at identifying radicalized groups and individuals who may be active in planning, abetting or recruiting for an extremist cause or act. Tertiary CVE has included methods such as disengagement, rehabilitation and de-radicalization. It has necessitated expertise from security personnel, religious institutions, community professionals and de-radicalized former extremists. The intervention measure has proven effective in combining intelligence from the communities with that of the law

¹¹⁵ Badurdeen, F. & Goldsmith, P. (2018). *Initiatives and perceptions to counter violent extremism in the coastal region of Kenya*. Department of Social sciences: Technical University of Mombasa.

¹¹⁶ Subedi, D.B. (2017). *Early warning and response for preventing radicalization and violent extremism*. Peace Review: A Journal of Social Justice, 29(2): 135-143.

enforcement and has been effective in thwarting impending threats of terror or violence and the group or individual ability to engage in violent activities in the future.

3.9 Chapter Summary

This chapter concludes that that the Kenyan government is making extensive efforts to counter terrorism and violent extremism in coastal region of Kenya. The success of the approaches that the government is using to counter terrorism is notable from the significant reduction of large scale attacks in the coastal region of Kenya. The launch of the NSCVE expresses commitment and seriousness by the government to use both soft and hard approaches to counter terrorism. However, the government has faced certain challenges in its measures and strategies for combating terrorism and some of its approaches have been widely criticized for being inhumane and facilitating abuse of human rights.

3.10 Chapter Findings

This chapter makes a number of findings in relation to the effectiveness of counter terrorism measures in Coastal region of Kenya. First, the Kenyan government has adopted both hard and soft approaches in countering terrorism in the coastal region. Hard measures has mainly involved the use of security organs to counter terrorism and has involved the deployment of additional security personnel to the coastal region, control of movement across Kenya's border with Somalia, and strengthening capacity for its security organs to detect, disrupt and possibly dismantle terror networks operating in the region. Soft approaches have involved the initiation of strategies and programs like the NSCVE to counter both terrorism and violent extremism. Second, the government divided its internal counter-terrorism security organs functions into three branches, namely the Kenya Police, the Directorate of Criminal Investigations and

Administration Police service. This multi-agency approach has yielded fruit in the last few years ever since its launch and a number of its counter terrorism activities has resulted in the disruption of terror plots, arrest of terror suspects and discovery of terror networks. Third, the government decided to deploy additional security personnel to the Coastal region to counter terrorism and the region has registered a remarkable reduction in terror attacks ever since. Fourth, the Kenyan government had plans of constructing a wall along Kenya's border with Somalia but only managed to construct a small section in the coastal region which has been effective in locking out illegal immigrants and terrorists. Sixth, the Kenyan government with the help of international actors has strengthened capacity for its security organs to detect, disrupt and possibly dismantle terror networks operating in the country. A number of terrorism threats have been thwarted as a result. Seventh, NSCVE was launched out of the growing concern that radicalization was rising among the Kenyan population and has been effective in discouraging the population from joining terrorist groups and extremists.

CHAPTER FOUR

CHALLENGES FACED BY THE GOVERNMENT OF KENYA IN COUNTERING TERRORISM

4.0 Introduction

Kenya has witnessed a surge in acts of terrorism in the last few years which has impacted greatly on its social, economic and political well-being. Despite the efforts being made by the Kenyan government to fight terrorism, the country still faces numerous challenges. These challenges include rising levels of radicalization and extremism in the country, lack of capacity by the state to fully counter terrorism, corruption, porous borders, and competing national priorities. This chapter investigates the challenges faced by the government of Kenya in countering terrorism.

4.1 Rising Levels of Radicalization and Extremism

Radicalization and recruitment into extremism of Kenya's population especially the youth has become a major challenge in Kenya's effort to counter terrorism in the country. Actors like civil society organizations are greatly concerned that the youth, regardless of their ethnic background or religious affiliations, are very susceptible to recruitment into extremism by terrorist organizations and are openly being targeted. The growth and rising levels of radicalization in the country has been linked to a number of socio-economic factors that radical groups are deliberately leveraging on to penetrate the Kenyan society and foster terrorism. The promise of better social services, development relief, training, and livelihoods by radical groups seems to be luring a number of Kenyans mostly the youths living in poverty and having little hope of accessing employment and education opportunities. Osinde and Chatterjee report that youth unemployment in Kenya ranks amongst the highest in the East African region and as such have increased the vulnerability of the youth to be recruited into terror groups who promise better

opportunities and livelihoods.¹¹⁷ Krause and Otenyo point out that radicalization and extremism has grown into a complex phenomenon in Kenya and that the reasons for getting radicalized and joining extremism varies across social groups.¹¹⁸ Certain youths from poor backgrounds are attracted by monetary and material rewards promised by extremist groups, others have a strong belief in jihadist ideology, and some are looking for adventure, while others are forced to join because of family or peer pressure.

The growing magnitude of radicalization and extremism in the country has increasingly presented a considerable challenge for the government to formulate and execute de-radicalization policies that can effectively counter terrorism. This stems from the increasing use of the internet to facilitate radicalization and extremism. Gray et al. reports that the internet has become a medium offering terrorists and extremists group an increased capability for communicating, collaborating and convincing others to join in their cause.¹¹⁹ Whereas Kakuma and Daadab refugee camps in Kenya were traditionally terrorist recruitment grounds, recruitment in recent times has become much more widespread thanks to the internet. Gray et al. postulates that while the capability of terrorists and extremists is increasing, formulation of new policies and implementation of the existing ones in Kenya is not keeping pace with the rapidly changing threat of terrorist.¹²⁰ Pantucci wagers that the internet has become an accelerant and a reinforcing agent of radicalization and has torn down traditional barriers in the physical world that

¹¹⁷ Osinde and Chatterjee, (2016). *Kenya's youth unemployment challenge presents opportunities.*

¹¹⁸ Volker Krause and Eric E. Otenyo, (2017) 'Terrorism and the Kenyan Public,' *Studies in Conflict and Terrorism* 28, no. 2

¹¹⁹ Gray, David H. and Albon Head, (2015). "The Importance of the Internet to the Post-modern Terrorists and its role as a Form of Safe Haven". *European Journal of Scientific Research*, Vol.25, No.3.

¹²⁰ Ibid.

individuals seeking to join radical groups would otherwise encounter.¹²¹ Pantucci goes on further and says that the internet offers individuals' easier access to relevant material they are interested in which if they sought out in the physical world would be hard to come by or they would encounter different opinions or materials possessing different views. A key feature which reinforces the notion that the internet is a radicalization accelerant is its capacity as a 'one stop shop' containing all the information that may be sought after by a 'would be' extremist.¹²² Steven and Neumann explains that an extremist may use the internet to illustrate ideological messages and reinforce the messages with a visually powerful imagery or video that appear to substantiate the claims held by the extremist.¹²³ Extremists are encouraged further in their online activities by the internet's ability to offer anonymity and a degree of security from detection. The security from detection and anonymity offered by the internet offers a big challenge for the government in tackling radicalization and extremism thus the war in countering terrorism. Wachira reports that for safety reasons, terrorists and extremists have assumed anonymity and shifted most of the activities they used to conduct in public spaces like mosques and transferred them to personal computers and smart phones.¹²⁴ A respondent during one of the field trips for this study stated: "The internet is transforming the way terrorist groups are radicalising in Kenya. It has enabled the terrorist groups to reach a much wider audience with a much more dynamic and broader series of narratives and messages. It has encouraged interaction and facilitated recruitment into extremism. The way people use it also appears conducive to these activities."¹²⁵

¹²¹ Pantucci, Raffaello, (2011). *'A Typology of Lone Wolves: Preliminary Analysis of Lone Islamist Terrorists'*. Developments in Radicalisation and Political Violence.

¹²² Ibid.

¹²³ Ibid 2.

¹²⁴ Wachira, A. (2013). How IT-based solutions can help to counter security threats in Kenya. The Standard on Sunday, 7th July 2013.

¹²⁵ Field interview with respondent

Existing legislations in Kenya for countering terrorism do not comprehensively offer clear guidelines on how to deal with terrorism related activities from the internet. The government has found it challenging to formulate policies that can comprehensively tackle online terrorism activities because of the dynamic nature of the internet and the challenges involved in identifying the perpetrators fostering extremism and radicalisation.

4.2 Lack of Capacity by the State to fully tackle Terrorism

The rate of terrorism and terror related activities in Kenya continues to rise faster than the government's capacity to stem it. One of the main challenges that Kenya faces in its effort to counter terrorism is institutional weaknesses. Kenya lacks well established anti-terrorism institutions that can accurately identify, collect, and analyse terror threats and security agencies like the police have been noted to be having inadequate training and equipment to effectively counter terrorism. Many threats and acts of terrorism are also reported to go unresolved due to a shortage of competent investigators, lack of resources, political interference and corruption. Various security organs are also reported to be slow in responding to terror threats and attacks and that cooperation and coordination between them has been found to be poor and constrained during times of terror attacks. The Westgate mall terror attack of 2013, for example, and the Garissa University terror attack of 2015, was largely seen as having deescalated rapidly leading to the loss of lives due to the slow response by security forces. The Garissa University terror attack is reported to have lasted for about fifteen hours yet security forces only arrived seven hours later and managed to gain entry into the University College after a whole eleven hours had

passed. The two fixed-wing aircrafts that flew the security forces to the terror site is also reported to have been too small to fit all the personnel and their equipment.¹²⁶

Inability by security agencies especially the police to put up and maintain presence in areas considered vulnerable is also a challenge the government faces in countering terrorism. Vulnerable areas in Kenya are so many that it overwhelms security agencies ability to afford protection to all of them. Vulnerable areas in Kenya range from embassies, hotels, airports, shopping malls, bus stops, tall buildings, mass transit buses, universities, colleges, churches, airlines, etc. Virtually any place in Kenya with a high population density constitutes a vulnerable area that terrorists can target for an attack and security agencies have no ability to protect all of them.

Slow judicial processes have also been determined to be impeding the fight against terrorism in Kenya. Court trials for terror related cases often proceed at a slow pace making it difficult to bring perpetrators to justice. At the start of 2018 for example, trials were still proceeding for four Kenyans accused of assisting the 2013 Westgate Mall attackers.¹²⁷ Trials also for four Kenyans and one Tanzanian associated with the Garissa University attack just recently ended. The trial for British terror suspect Jermaine Grant who was facing explosives charges took over a year to reach verdict.¹²⁸

The government has also fallen short in the implementation of initiatives to improve access to justice for victims and suspects of terrorism. In 2017, the government unveiled a National Legal Aid Action Plan but has failed to establish a public defender service as it had envisioned. In a

¹²⁶ Bremmer, I. (2015). *These five facts explain terrorism in Kenya*. Time

¹²⁷ Bremmer, I. (2015). *These five facts explain terrorism in Kenya*. Time

¹²⁸ The Guardian (2018). *Al-Shabaab attackers still facing trial for Kenya grenade blasts*.

2018 ruling, a High Court established that the Kenyan government had failed to follow established legal procedures that designated Somalia as one of the prohibited destinations. The high court maintained that the judiciary supports a rule of law-based approach that applies legal and evidentiary standards used in criminal cases to terrorism cases and that the government was not fully investigating and complying with the law in dealing with terrorism cases.¹²⁹

4.3 Corruption

Acts of corruption involving government officials, organized cartels and extremist groups is believed to be facilitating terrorism in Kenya. Orthung observes that poor governance marred with corruption has created a favourable environment for terrorists and terrorism activities to thrive by enabling groups to organize and launch attacks.¹³⁰ Weak efforts by the government of Kenya to implement existing laws on ethics and anti-corruption has facilitated corruption and watered down efforts aimed towards counter-terrorism. This has in turn diluted efforts by committed personnel in their fight against terrorists and terror related activities especially those caused by extremists and illegal immigrants. The lack of institutional integrity especially by those charged with security and border management is derailing efforts by the Kenyan government in combating terrorism. Terrorists have reportedly bribed security and border management officials before to gain entry into the country and launch attacks thus putting into question the commitment and patriotism of certain government officials in the fight against terrorism. Carson reports that it is because of corruption in law enforcement and border management agencies that terrorists have been able to set up networks in the country and

¹²⁹KNCHR (2017). *The Error of Fighting Terror with Terror*. Report

¹³⁰ Orthung, Robert. (2009). *Corruption, Global Security, and World Order*. Liverpool: Brookings Institution Press.

smuggle illicit arms and bomb making materials.¹³¹ Foreigners have also turned out to be terrorists because they were able to obtain Kenyan travel documents and identity.¹³² Corruption in the security agencies has also been blamed for terrorism suspects 'escaping' police custody, suspects managing to escape dragnets, 'files getting lost' in court cases involving terrorism amongst other incidences.¹³³

High incidence of corruption by government officials especially by security and border control officials has been highly linked to either greed for money or a feeling of vulnerability to the terror groups.¹³⁴ Certain cases of terrorism in Kenya are believed to be facilitated through a well-established architecture of colluding cartels who occupy the very same institutions charged with fighting the vice. A study by Dandurand and Chin, found out that terrorists in Kenya were able to launder enormous amounts of money and in turn bribe security and border officials and fund in terrorism activities.¹³⁵ Colluding cartels include prominent politicians, officials in key institutions such as immigration, banks, security amongst others. This conflict of interest has made it harder for the government to implement its counter terrorism strategies and win the fight against terrorism.

4.4 Porous Borders

Kenya shares a long border with its troubled neighbour of Somalia where terrorist groups have found a haven to conduct their activities and operate freely. A number of terrorist attacks in

¹³¹ Carson, J. (2005). Kenya: The struggle against terrorism. In: *Battling terrorism in the Horn of Africa*, eds. R. Cambridge: R Rotberg. Washington DC: World Peace Foundation and Brookings Institution Press.

¹³² Ibid.

¹³³ Carson, J. (2005). Kenya: The struggle against terrorism. In: *Battling terrorism in the Horn of Africa*, eds. R. Cambridge: R Rotberg. Washington DC: World Peace Foundation and Brookings Institution Press.

¹³⁴ Otiso K, (2009). *Kenya in the Crosshairs of Global Terrorism: Fighting Terrorism at the Periphery*. KSR, 1 (1):

¹³⁵ Dandurand, Y., and V. Chin, (2004). *Links between terrorism and other forms of crime*. A Report Submitted to Foreign Affairs Canada and the United Nations Office on Drugs and Crime. Vancouver: International Centre for Criminal Law Reform and Criminal Justice Policy.

Kenya have been pointed to Somalia as the transit and coordination point for terror activities. Terrorists are also exploiting the largely unsecured land borders and sparsely populated regions around the border to move operatives and launch attacks in the country. For example, the most recent terrorist attacks like those of Mpeketoni in 2014 and Garisssa Univeristy College in 2015 are believed to have been launched by attackers who passed through the border into Kenya. The long border presents a major challenge in the fight against terrorism as it is porous and sparsely manned by security forces. It has therefore not only enabled the free movement of terrorists into the country but also an influx of smugglers and illicit weapons. Except for the few custom check points, a sizeable border line is unmanned and un-patrolled offering an ideal entry point for terrorists to conduct terror activities in the country.

In 2015, the Kenyan government announced plans to construct a border wall between Kenya and Somalia to lock out illegal immigrants and terror groups from Somalia. However, after a short stretch, construction of the wall halted over a number of challenges the government reported it had encountered during construction. The challenges included Somalia accusing Kenya of engaging in the construction without having an agreement in place, shortage of funds to finance construction, and tensions rising amongst communities over the fate of their homes along the proposed border line.¹³⁶

4.5 Competing National Priorities

Kenya's effort to counter terrorism is competing in funding with other national priorities such as infrastructural development, provision of education, health services, adequate housing and other national development projects. As such, the government cannot adequately fund its counter

¹³⁶ A, Makoloo. (2016). *Border construction causes anxiety between Kenya and Somalia*. Daily Nation.

terrorism activities leaving the country vulnerable to terrorism. The government faces budgetary constraints for example in training and equipping its security agencies, hiring adequate personnel to effectively man borders, completing the construction of the border wall between Kenya and Somalia amongst other programs and commitments. The border wall to be constructed between Kenya and Somalia is reported to be going to cost the Kenyan government an upwards of US \$17 billion and has been halted partly due to the high cost to be incurred. Its construction is competing with other major projects the government has embarked on like the construction of a 32 –berth port in Lamu estimated to be going to cost US \$ 5 billion, construction of the Lamu Port South Sudan Ethiopian Transport (LAPSSET) corridor, extension of standard gauge railway line from Nairobi to Malaba, and other mega projects. All these and many others are commitments by the government at a time when in the last budget reading for financial year 2019/2020 it reported that there was a national deficit and will have to borrow both locally and in the foreign markets a total sum of US \$ 5.7 billion.¹³⁷

4.6 Chapter Summary

This chapter concludes that the government of Kenya faces numerous challenges in its effort to counter terrorism in the country. The impact of terrorism to the country is grave and the government should not relent in its fight against terrorism even though it encounters numerous challenges along the way. Terrorist groups are deliberately leveraging on a number of socio-economic factors to penetrate the Kenyan society and foster terrorism. The government needs to address these socio-economic factors and requires concerted efforts from all its state organs to effectively combat and prevent terrorism. Failure to continuously enact laws that can effectively

¹³⁷ Kalume Kazungu (2018), "*Youths, Local Industries to Reap More from Lapsset Project*". Lapsset to provide Jobs to Idle youths in Lamu. Published by Daily nation on November 25th 2018. P-6.

counter the constantly evolving and unpredictable threat of terrorism is a big obstacle in the fight against terrorism. The capability of terrorists and extremists is increasing due to technology and the formulation of new policies and implementation of the existing ones by the government needs to keep pace with the rapidly changing threat of terrorism.

4.7 Chapter Findings

In light of the challenges faced by the government of Kenya in countering terrorism, this chapter makes a number of findings. First, the challenges faced by the government in countering terrorism include rising levels of radicalisation and extremism in the country, lack of capacity by the state, corruption, porous borders, and competing national priorities. Second, the growth and rising levels of radicalisation and extremism in the country has been linked to a number of socio-economic factors that radical groups are deliberately leveraging on to penetrate the Kenyan society and foster terrorism. Countering radicalization and extremism in the country has increasingly presented a considerable challenge for the government to formulate and execute de-radicalization policies due to the increasing use of the internet to facilitate radicalization and extremism. Third, the rate of terrorism and terror related activities in Kenya continues to rise faster than the government's capacity to stem it and the main challenge that Kenya faces in its effort to counter terrorism is institutional weaknesses. Kenya lacks well established and accountable anti-terrorism institutions that can accurately identify, collect, and analyse terror threats. Third, weak efforts by the government of Kenya to implement existing laws on ethics and anti-corruption has facilitated corruption and watered down efforts aimed towards counter-terrorism. A lack of institutional integrity by state agencies is derailing efforts by the Kenyan government in its efforts to counter terrorism. Fourth, terrorists are also exploiting the largely unsecured land borders and sparsely populated regions around the border to move operatives and

launch attacks in Kenya. The most recent terrorist attacks like those of Mpeketoni in 2014 and Garissa Univeristy College in 2015 are believed to have been launched by attackers who passed through the border into Kenya. The long border presents a major challenge in the fight against terrorism as it is porous and sparsely manned by security forces. Fifth, Kenya's effort to counter terrorism is competing in funding with other national priorities such as infrastructural development, provision of education, health services, adequate housing and other national development projects. As such, the government cannot adequately fund its counter terrorism activities leaving the country vulnerable to terrorism.

CHAPTER FIVE

SUMMARY OF FINDINGS, CONCLUSION AND RECOMMENDATIONS

5.0 Introduction

With key focus on Kenya's alarming rate of radicalization particularly along the Coastal region, the study sought to examine the influence of counter terrorism measures in Kenya. This chapter therefore, covers summary of the key findings flowing from the three key objectives that guided the study, namely: To examine the current counter terrorism measures in Kenya, to assess the effectiveness of counter terrorism measures in Coastal region of Kenya and to investigate the challenges faced by the government of Kenya in countering terrorism. The chapter also covers the research conclusion and recommendations.

5.1 Summary of the Findings

This section covers the key findings from each objective of the study.

5.1.1 Counterterrorism Measures in Kenya

In response to increased radicalization and terror attacks, the study has identified security interventions as the most key counterterrorism measure in Kenya. The study noted that although security agencies have cooperated to neutralize terrorism and thwart terror attacks before they happen, some areas in coordination of counterterrorism operations and collection of actionable intelligence need to be improved. In addition, the study noted that, use of hard militaristic approach alone has been proven to be quite ineffective to combat terrorism. For instance, despite incursion of KDF troops in Somalia to eradicate Al-Shabaab since 2011, eight years later the terrorist group is still a security threat not only to Kenya but to the whole East and North of Africa region. Further, the study noted that effective counterterrorism measures need to combine

both militaristic approach and other peaceful programs by non-state actors such as civil societies and NGOs as well as embracing human security concept in order to holistically address the issue of terrorism by winning the hearts and minds of perpetrators of terror. Other counter terrorism measures include countering financing of terrorism, collaboration with U.S and other countries including regional bodies, establishment of national counterterrorism center as well as security surveillance of border.

5.1.2 Effectiveness of Counter Terrorism Measures in Coastal Region of Kenya

The study identified that Kenyan government has adopted both hard and soft power approaches in countering terrorism in the coastal region. Hard power approaches have mainly involved the use of security organs to counter terrorism and have involved the deployment of additional security personnel to the coastal region, control of movement across Kenya's border with Somalia, and strengthening capacity for its security organs to detect, disrupt and possibly dismantle terror networks operating in the region. Soft power approaches have involved the initiation of strategies and programs like the NSCVE to counter both terrorism and violent extremism. The study has discovered that the multi-agency approach comprising of soft and hard power has yielded fruit in the last few years ever since its launch and a number of its counter terrorism activities have resulted in the disruption of terror plots, arrest of terror suspects, discovery of terror networks as well as discouraging the population from joining terrorist groups and extremists.

5.1.3 Challenges Faced by Government of Kenya in Countering Terrorism

The study has noted that the rising levels of radicalization and extremism in the country is the key challenge faced by government of Kenya in countering terrorism. Countering radicalization

and extremism in the country has increasingly presented a considerable challenge for the government to formulate and execute de-radicalization policies due to the increasing use of the internet to facilitate radicalization and extremism. This has made the rate of terrorism and terror related activities in Kenya to continue to rise faster than the government's capacity to stem it due to institutional weakness. The study has discovered that lack of institutional integrity has weakened the capacity of Kenyan government to counter terrorism. Other noted challenges include expansive unsecured border with Somalia as well as the fact that counterterrorism is competing for funding with other national priorities such as infrastructure development, health services and provision of education.

5.2 Conclusion

In response to increasing level of radicalization and violent extremism, the Kenyan government has established various measures to counterterrorism. The measures include deployment of military, countering financing of terrorism, formulation of national counterterrorism strategies, effective intelligence gathering, construction of border wall as well as collaboration with other countries and regional bodies to counter terrorism. Additionally, there have been other platforms to counter terrorism such as youth empowerment and campaigns against radicalization. The combination of both militaristic approach and peaceful campaigns by civil societies and NGOs have proved to be a more effective method to combat terrorism.

The multiagency approach to combat terrorism has yielded fruits in disruption of terror plots, arrest of terror suspects and discovery of terror networks especially along the Coastal region of Kenya. This has been so due to deployment of additional security, effective intelligence, effective manning of Kenyan border, youth empowerment and peace campaigns by both

government bodies and NGOs. In addition, ever since NSCVE was launched out of the growing concern that radicalization was rising among the Kenyan population; it has been effective in discouraging the population from joining terrorist groups and extremists. The NSCVE has also strengthened capacity for security organs to detect, disrupt and possibly dismantle terror networks operating in the region.

The government has faced a lot of challenges in combating terrorism mostly due to rising level of radicalization and violent extremism. The rate of terrorism and terror attacks has risen faster than the government capacity to stem it. This portrays the institutional weakness of security agencies and government bodies in countering terrorism. The failure of government to enforce existing laws on ethics and anti-corruption has made corruption to get institutionalized. Corruption has watered down the effectiveness of measures to combat terrorism. Further, the inadequately manned and poorly surveilled porous border has presented a challenge in countering terrorism. For example terror attacks like those of Mpeketoni in 2014 and Garissa University College in 2015 are believed to have been launched by attackers who infiltrated the border into Kenya without detection.

5.3 Recommendations

The study recommends that there is need of advancing democracy, strengthening institutions of governance, empowering youth, promoting development especially in those marginalized regions and embracing the concept of human security in order to holistically counter radicalization. Furthermore, there is need for proper coordination of multiagency security especially in the areas of effective intelligence gathering, analyzing and sharing. Finally, there is

need to address the issue of institutionalized corruption since it has insecurity implications especially in countering terrorism.

5.4 Areas for further Research

The study noted that there is a close link between institutionalized corruption and the increasing rate of radicalization and terror attacks. Therefore, further research needs to be carried out to establish the extent of relationship between institutionalized corruption and rising level of violent extremism in Kenya. The study also noted a close link between poverty, insecurity and terrorism; therefore there is need for further research to establish their relationship.

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APPENDICES

Appendix I: Questionnaire

UNIVERSITY OF NAIROBI

INSITUTE OF DIPLOMACY AND INTERNATIONAL STUDIES

Dear Respondents,

RE: DATA COLLECTION

I am masters' student at University of Nairobi, in department of diplomacy and international studies. Currently am undertaking research study to fulfill requirement for award of Masters' degree in international studies. My project topic is "**The Influence of Counter Terrorism Measures in Kenya. A Case of Coastal Region**". You have been selected to participate in this study; however your participation is free and voluntarily. The data collected from this research will only be used for academic purposes. Your participation is completely voluntarily and anonymous and information provided will be treated with confidentiality. Please I request you to feel the questionnaire honestly.

Special thanks for your cooperation.

PART A : DEMOGRAPHIC INFORMATION

1. What is your gender?

Female Male

2. How old are you?

.....

3. What is your highest level of education?

PHD Masters Undergraduate Diploma College Not Completed

Secondary School Primary School Never Attended.

4. What is your occupation?

5. Indicate your religion.

Christian Muslim Others

6. Please indicate your organization.

Anti-Terror Police. Kenya Community Support Centre (KECOSCE). Muslims for Human Rights (MUHURI). Academicians.

7. How long have you worked for your organization?

Less than a year. 5 years. 10 years. 15 years. Any other.....

SECTION B: COUNTER TERRORISM MEASURES IN KENYA.

1. What mechanisms has government of Kenya adopted to counter Terrorism?

.....
.....
.....
.....
.....

2. Do the mechanisms to counter terrorism by Government of Kenya involve the following?

A. Community. YES OR NO]

EXPLAIN.....
.....
.....
.....

B. NGOs. YES OR NO]

EXPLAIN.....
.....
.....
.....

C. RELIGIOUS ORGANIZATIONS. [YES] OR [NO].

EXPLAIN.....
.....
.....
.....

SECTION C: EFFECTIVENESS OF COUNTER TERRORISM MEASURES BY KENYAN GOVERNMENT IN COASTAL REGION.

1. How effective are counter terrorism measures to counter terrorism in Coastal region of Kenya?

.....
.....
.....
.....

2. Do you think intelligence services have detected and stopped terror attacks before they occurred?.....

.....
.....
.....

3. What are some of the challenges faced by mechanisms developed by Government of Kenya in countering terrorism?

.....
.....

.....
.....

4. Do you think involvement of NGOs, religious organizations and community under initiatives like Nyumba Kumi are effective in countering terrorism in Kenya?

.....
.....
.....
.....

5. Do you think use of hard power like military is effective in countering terrorism?

.....
.....
.....
.....

6. Does use of soft power like diplomacy, private-public partnership and financial controls in countering terrorism effective in Kenya?

.....
.....
.....
.....

7. What can you suggest to improve effectiveness of counter terrorism measures in Kenya?

.....
.....
.....
.....

SECTION D: CHALLENGES FACED BY THE GOVERNMENT OF KENYA IN COUNTERING TERRORISM.

1. Do you think inadequate funding of security agencies makes security agencies to be an able counter terrorism?

.....
.....
.....

2. Does corruption challenge government efforts to counter terrorism?

.....
.....
.....

3. Does poor socioeconomic conditions such as poverty, unemployment, low income and high level of illiteracy increase chances of radicalization and violent extremism in Kenya?

.....
.....
.....

4. Does bad governance incapacitate war against terrorism?

.....
.....
.....

5. What other challenges do you think affects implementation of counter terrorism measures in Kenya?

.....
.....
.....

Appendix II – Structured Interview Guide

Kindly fill and tick where appropriate

SECTION A: DEMOGRAPHIC INFORMATION

1. Gender [Male] [Female]
2. How old are you?
3. What is your highest level of education?
4. Name of your organization.....
5. How long have you worked with the organization/institution.....

SECTION B

1. What counter terrorism measures are used by your organization/Institution to counter terrorism in Kenya?
2. How effective are the measures used by organization to counter terrorism in Kenya?
3. What are some of challenges does Kenya face while implementing its counter terrorism measures?
4. Kindly give suggestions on how these challenges can be dealt with.
5. How can government improve effectiveness of measures to counter terrorism?

THANK YOU

VINCENT NGENO

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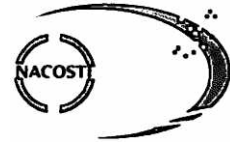
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