

**EVALUATION OF EFFECTIVENESS OF COUNTER-TERROR MEASURES TO  
NATIONAL SECURITY IN KENYA**

**BY**

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**2021**

## DECLARATION

### DECLARATION BY THE CANDIDATE

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**DEDICATION**

I dedicate this thesis to my late Father **ALI MOHAMED (1924-2007)** with LOVE

## ABSTRACT

Terrorism is a phenomenon that has existed as a global security terror. The human cost of terrorism has been felt in virtually every corner of the globe. The main objective of this study was to examine the effectiveness of counter-terror measures to national security in Kenya thus examining the changes and development of terrorist activities, why Kenya is a target by the terror groups, and the counter terrorist measures by the Kenyan government for security, including the impact of such counter-terror measures on the Kenyan citizens. More importantly, the study focused on the growth aspect of terrorism in Kenya while exploring different terror groups targeting Kenya internally and externally. The study was limited to survey research design, which was based on qualitative and quantitative research design. A survey questionnaire, Key informant interviews, desktop reviews and Focused Group Discussions with the Anti-terrorist unit commanders, National Police Service, Human Right Groups, NGOs, Faith Based Organizations, Scholars, interest groups, the National Government Representatives at the County among other stakeholders. The study was conducted in Lamu and Mombasa Counties. Quantitative and Qualitative data was obtained using both primary and secondary sources. Questionnaires, interview guides and focused group discussions was used to obtain both qualitative and quantitative on the dynamism of the terrorism threat in Kenya. The study found that trend of terrorism in Kenya has become more dynamic and that the greatest push factors for youth radicalization was unemployment. The trend in terrorism is majorly fueled by poverty and inequality which manifests in unemployment and lack of job opportunities. The study further finds that the counterterrorism strategies employed are ineffective and counterterrorism operations are poorly handled. Much more attention has to be paid to the youth by increasing opportunities for education, employment and political participation. More serious anti-corruption efforts are needed across the board. Policing approaches should be incorporated or married with counterterrorism strategies so as to enhance performance and efficacy given the findings have revealed that the approaches are more effective and acceptable than counter-terrorism strategies.

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## OPERATIONALIZATION OF TERMS

**Antiterrorism:** Measures designed to prevent or thwart terrorism. In the context of this study, these are measures such as raids designed to break up terrorist cells, intelligence gathering and arresting suspects.

**Counter-terrorism:** Practices, tactics, techniques, and strategies that governments, militaries, police departments and corporations adopt in response to terrorism. In the context of this study, the government via the military police and custom officials apply measures such as protecting government buildings and installations, infiltration of terrorist cells and community policing designed to keep away terrorists.

**Terrorism:** The unlawful use or threatened use of force or violence against individuals or property in an attempt to coerce or intimidate governments or societies to achieve political, religious or ideological objectives. In the context of this study, terrorism and terrorist activities are mainly perpetrated by Al-Shabaab, a militant group with origins from Somalia with sympathizers and recruits from Kenya and other countries.

**Terrorist:** A person, usually a member of a group, who uses or advocates terrorism. In the context of this study, they are mainly Al-Shabaab, a militant group originating from Somalia with sympathizers and recruits from Kenya and the other countries.

**National Security:** The safekeeping of the nation as a whole. In the context of this study, National security is the protection against internal and external threats to Kenya's territorial integrity and sovereignty especially the terrorists.

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**ABBREVIATIONS AND ACRONYMS**

<b>ACSRT:</b>	Centre for the Study & Research on Terrorism
<b>AMISOM:</b>	African Union Mission to Somalia
<b>AQIM:</b>	Africa and al-Qaeda in the Islamic Maghreb
<b>ATPU:</b>	Anti-Terrorism Police Unit
<b>AU:</b>	African Union
<b>CBRN:</b>	Chemical, Biological, Radiological and Nuclear
<b>CCPM:</b>	Community Civil Protection Mechanism
<b>EAPCCO:</b>	East African Police Chiefs Co-operation Organization
<b>INTERPOL:</b>	International Criminal Police Organization
<b>ISIL:</b>	Islamic State of Iraq and the Levant
<b>KDF:</b>	Kenya's Defense Forces
<b>NCTC :</b>	National Counter Terrorism Center
<b>NGOs:</b>	Non-Governmental Organization
<b>OAU:</b>	Organization of African Unity
<b>PFLP:</b>	Palestinian Front for the Liberation of Palestine
<b>TSCTP:</b>	Trans-Sahara Counterterrorism Partnership
<b>OI:</b>	Oral Interview
<b>UNDP:</b>	United Nations Development Programme

## **CHAPTER ONE**

### **INTRODUCTION**

#### **1.0 Overview**

Terrorism is becoming complex and so are terror networks as they strive to keep up with modernization and the opportunities and challenges posed by the modern day world. Terrorism has over the years evolved and intensified both in type, scale and frequency of attacks. In its wake, it has brought about fear, loss of life and provocations to react with a similar or greater measure, which has attracted global debates on the consequences of the strategies employed and whether they are designed to bring in the positive results so desired. Primarily, nations are driven by a national security agenda of protecting its internal security, with a great accountability to provide security for its citizens. This study expounds on the trend in terrorisms, strategies adopted in countering terrorism and evaluating their effectiveness and impact of the government anti-terrorism strategies on national security specifically in Kenya.

The chapter presents background to the study, statement of the problem, objectives of the study and corresponding research questions. The chapter further delineates the scope of the study, significance of the study and limitations of the study. The last section of the chapter ends with a conclusion of the chapter.

#### **1.1 Background of the Study**

Terrorism is a phenomenon that has existed as a global security terror. It is a tool that has been used by a wide variety of groups to achieve political or social aims. Through the use

of violent actions; creating chaos, confusion, and fear, these groups have disrupted the existing social life and the political stability of societies, in their aim of forcing the desired change to occur (UNDP, 2017).

The human cost of terrorism has been felt in virtually every corner of the globe. Terrorism poses a direct threat to security of citizens in countries all over the world, and to international stability and prosperity more broadly and will remain a threat in future (Hunsicker, 2016). Terrorists have demonstrated their ability to cross international borders, establish cells, survey targets and execute attacks. The terror is aggravated by terrorist groups and individuals that continue to spread over the world. Modern technology increases the impact of terrorist attacks employing conventional and unconventional means, more so as terrorists continue to acquire chemical, biological, radiological and nuclear (CBRN) capabilities and cyber capacities (Gyamfi, 2020). Absence of peace and security can create an environment conducive for spread of terrorism, such as promoting radical ideologies, fundamentalism, intolerance and bigotry (Dadashova, 2019).

Terrorism is a long-standing political and religious strategy that has gained renewed international awareness following the devastating and unprecedented attacks in the United States (US) on the 11<sup>th</sup> September, 2001. While the events of that day have come to represent a turning point globally, the 9/11 attacks were not isolated events (Mahajan, 2017). The events did not reflect an unanticipated new terror to peace and security. What transpired brought a new dimension of terrorism worldwide. The world's trepidations about terrorism intensified following the 9/11 attack in the US (Hammond, 2013).

As far back as 1992, the Organization of African Unity (OAU) adopted a resolution aimed at enhancing co-operation and co-ordination between member states in order to fight the occurrence of extremism (Cilliers & Sturman, 2012). Africa recorded 6,188 casualties from 299 acts of terrorism between 1990 and 2003, making it the continent with the second most casualties in the world after Asia (US, Department of State 1990-2003). Going forward, many African states have been affected by acts of terrorism that has led to displacement of people, loss of lives and decline in economic growth and development. As far back as 1980s, there have been warnings of new form of terrorism and terror acts. Unlike terror groups of 1970s that held together, the current wave of terror groups operates in pockets (Asongu, Tchamyou & Tchamyou, 2018). With the bombing in Dar es Salaam and Nairobi in August 1998, Tanzania and Kenya were the first countries in Africa to experience the new wave of terrorism (Ajide, 2019).

Africa faces the same terror of terrorism as the rest of the world. However, it seems that Africa is more vulnerable in the fight against terrorism due to several reasons ranging from weak governments, porous borders and weak security organs among others. Some of the terrorist groups that operate in Sub-Saharan Africa, include, Al- Shabaab operating in Somalia, Boko Haram operating in Nigeria, Al-Qaida in the Islamic Maghreb operating in the Sahara (AQIM) and the Lord's Resistance Army operating in Uganda (Kaufman, 2012).

Africa attacks are as a result of internal conflict and the spill-over from regional wars, as different belligerent groups have resorted to terrorism in an attempt to advance their objectives and intentions (Kamya, 2018). Over the past years, terrorist groups such as



Boko Haram and Al-Shabaab have reinvented our thinking about terrorism and ignited debate on how to deal with the same. Their message of intolerance has had far-reaching consequences worldwide. Their ability to use media to announce their activities has defied our core values of peace, tranquility, humanity and unity (Onuoha, 2019).

Since 2011, there has been an increase in terror attacks in Kenya. The government acknowledged that most of the killings and explosions are perpetrated by Al- Shabaab in retaliation to Operation Linda Nchi (Nyesiga, 2017). The operation is a joint military mission between the Somalia and Kenyan military that began on 14<sup>th</sup> October 2011. During this time, Kenyan troops crossed the border into Somalia to dislodge terrorists from their strongholds and annihilate them. According to security experts, majority of the attacks are perpetrated by youths who are radicalized. By 2014, growing attacks began affecting Kenya's tourism industry negatively (Cannon & Pkalya, 2019). European nations started issuing travel warnings to their citizens against travelling to Kenya and visiting coastal region. This leads to a decline in the number of tourists visiting Kenya. Since tourism is a major earner, Kenya's economy was badly affected (Williams, 2018).

According to the Bureau of Counterterrorism (2020), Kenya has been a frequent target of terrorist attacks. The largest, most high-profile attack occurred in 1998 when al-Qaeda operatives bombed the U.S. embassy in Nairobi, killing more than 220 people. In recent years, the Somali-based al-Shabaab has perpetrated two largescale attacks in Kenya: the September 2013 siege of Nairobi's Westgate shopping mall that left 67 people dead, and the April 2015 attack on Garissa University in northeastern Kenya in which militants killed 148 people. In 2019, the DusitD2 complex was also attacked. The Somali terror

group has increased attacks in Kenya in order to dissuade the country from sending its military to help stabilize neighboring Somalia (Mogire, Mkutu, & Alusa, 2017).

In this light, this study sought to examine the trends of terrorism in Kenya thus examining the changes and development of terrorist activities, why Kenya is a target by the terror groups, and the counter terrorist measures to national security of Kenyan, including the impact of such counter-terror measures on the Kenyan citizens. More importantly, the study focused on the growth aspect of terrorism in Kenya while exploring different terror groups targeting Kenya internally and externally.

## **1.2 Problem Statement**

The motivation of this study is based on the perennial fears arising from the terror of terrorism in Kenya. Despite the security agencies adopting numerous counter-terrorism measures which include raids, patrols, capacity building, intelligence gathering and ambushes, acts of terrorism have continued unabated in the coastal region leading to massive loss of lives and destruction to properties. These counter-terrorism measures are thus either deficient or have not been effectively implemented in the fight against terrorism.

Kenya has experienced terrorist attacks, which the executive leadership have largely attributed the insecurity to Al-Shabaab militia operating in Somalia. This has resulted to the deployment of Kenyan Defense Forces (KDF) as part of the African Union Mission in Somalia (AMISOM) in 2011 (Kirui, 2020). Kenya has made efforts at incorporating a mixed approach by incorporated diverse measures to counter-terrorism. Its mixed

approach encompasses both military and nonmilitary approaches. Yet, the country has continued to witness upsurge of terrorist attacks mostly in Nairobi, Wajir, Garissa, Mandera and the Coastal region and criticism in its combative and deterrence approaches in the fight against terrorism.

Terrorism therefore, remains a key challenge in the Kenya where attacks have cost loss of lives and property. Terrorism activities have also disrupted the day to day activities of Kenyans and entrenched fear (Buigut, 2018). Scholars like Onkware and Odhiambo (2010) assessed Kenya's pre-emptive and preventive incursion against Al-Shabaab in light of international law, while Chumba *et al.* (2016), examined the role of security-based diplomacy in the management of transnational terrorism in Kenya and Somalia in an attempt to unearth effective counterterrorism strategies with little success.

It is therefore, critical to evaluate the state of terrorism in Kenya, the strategies deployed by the government and their effectiveness on ensuring national security. The study is motivated by the need to have an in-depth analysis of terrorism in Kenya with the aim to provide insight on terrorism subject in academic and in practice. Therefore, this study sought to examine the effectiveness of counter-terror measures to national security in Kenya.

### **1.3 Main Objective**

The main objective was to evaluate the effectiveness of counter-terror measures to national security in Kenya.

### **1.3.1 Research Objectives**

The specific objectives of the study were;

1. To examine the trend in terrorism in Kenya.
2. To determine the strategies adopted in countering terrorism in Kenya
3. To evaluate the effectiveness of the government anti-terrorism strategies on national security in Kenya.

### **1.4 Research Questions**

1. What has been the trend on terrorism in Kenya?
2. What strategies have been adopted in countering terrorism in Kenya?
3. Has the anti- terrorism strategies been effective in maintaining national security in Kenya?

### **1.5 Justification of the Study**

The uncertainty that broods over terror attacks makes this research a worthy pursuit. There is need to learn from past mistakes to forge better policies that preserve national security of a nation and its people. Terror related violence is on the rise both domestically and globally. The future is uncertain when it comes to the patters of terrorism and the means of containing it is well under scrutiny to make sure that the effort is fruitful to the end. The study is geared towards helping Kenya minimize chances of future attacks and contribute to the body of knowledge seeking to reduce terror instances.

## **1.6 Significance of the Study**

The study aims to make a contribution on terrorism in Kenya and consequently counter terrorism measures. This research therefore examines the trends of terrorist and the terror in Kenya and the Kenyan government strategy to address the vice. The evaluation brings out the source of the terror and why Kenya is a target. The research suggests areas for improvement of the present counterterrorism strategy. The end result is that the research comes up with recommendations that the Kenyan government will be able to incorporate into the counterterrorism strategy to tackle the terror.

This research is significant because terrorism is an ever-present current reality for Kenya and this research sought to understand the terror of terrorism in Kenya with the goal of using the information accrued herein towards preventative measures.

Additionally, this study is significant for the security personnel and the government as they fight terrorism. It is hoped that the government realizes the loopholes that the Al-Shabaab are using to conduct their terror and fortify its Intelligence. Overall, this research is crucial as it shall create a better understanding on the trends and dynamics of the Al-Shabaab's activities in Kenya and terrorism as a whole.

## **1.7 Scope of the Study**

The content scope was limited to research objectives intended to investigate the trend, strategies adopted in countering terrorism, their effectiveness and impact on security in Kenya.

In terms of methodology, the study was limited to survey research design using both qualitative quantitative methods. The target population was selected Anti-terrorist unit commanders, National Police Service, Human Right Groups, NGOs, Faith Based organizations, Islamic Scholars, interest groups and the National Government Representatives at the County in Lamu and Mombasa County.

The time scope of the study covered the period from year 2010 to year 2020. The year 2011 is the period from which the new phase of terrorist attacks by terror groups from Somalia, including Al-Shabaab started carrying out sporadic terror attacks in Kenya.

### **1.8 Limitation of the Study**

The study anticipates to encounter some limitations that might hinder access to information that the study is sought. The respondents targeted in this study might be reluctant in giving information since security information id considered as confidential. The researcher mitigated this by assuring the respondents of the confidentiality of their identity and make it clear to them that the information from them was strictly for academic purpose. Respondents given questionnaires may not adhere to the dates for handing over of questionnaires, while some might give inaccurate data, which might undermine the outcome of the research. The researcher gave the respondents ample time to fill the questionnaire then collect them later once the respondents have duly filled them.

### **1.9 Summary of the Chapter**

The chapter has presented background to the study, statement of the problem, objectives of the study and corresponding research questions. The chapter has further delineated the scope of the study, significance of the study and limitations of the study. The next chapter presents the literature review.

## **CHAPTER TWO**

### **LITERATURE REVIEW AND THEORETICAL FRAMEWORK**

#### **2.0 Introduction**

This chapter provides an overview and review of various studies and empirical research findings relating to terrorism and strategies in counterterrorism. The literature focused on the issues of counterterrorism from a global, regional and national perspective. Pertinent issues such as terrorism, counterterrorism strategies and policing approaches are discussed. The chapter further reviews knowledge gaps that need to be addressed in counter-terrorism. The chapter ends with a summary.

#### **2.1 Theoretical Review**

The study was informed by the Rational Choice Theory and the Realism theory while reviewing terrorism and its concepts.

##### **2.1.1 Rational Choice Theory**

The Rational Choice Theory by Scott (2000) is based on the notion that man is a reasoning being who weighs the costs and benefits of choices and therefore makes decisions based on rational calculations. Terrorists, despite being considered by many to be inhumane and irrational, are nevertheless human beings and are prompted to commit their acts of terrorism by some form of ideology and beliefs, mainly stemming from religious beliefs (Korbl, 2017).



The Rational Choice Theory was therefore helpful in that regard, helping to understand the motivations for the terrorist acts of the Al-Shabaab. Such an understanding has been largely unclear and thin at best yet it may be the key to helping eradicate terrorism from not only Kenyan society, but the world at large. This theory is important in explaining the behavior and thinking of terrorists, terrorist groups and even government leadership as they attempt to tackle terrorist threats.

### **2.1.2 Theory of Securitization**

Securitization theory by Buzan, Waever and Wilde (1998) proposes that national security policy is not a natural given, but carefully designated by politicians and decision-makers. According to securitization theory, political issues are constituted as extreme security issues to be dealt with urgently when they have been labelled as dangerous, menacing, threatening, alarming and so on by a securitizing actor who has the social and institutional power to move the issue beyond politics (Buzan, Waever & Wilde, 1998). So, security issues are not simply 'out there' but rather must be articulated as problems by securitizing actors (Balzacq, 2019). Calling immigration, a threat to national security, for instance, shifts immigration from a low priority political concern to a high priority issue that requires action, such as securing borders. Securitization theory challenges traditional approaches to security and asserts that issues are not essentially threatening in themselves; rather, it is by referring to them as 'security' issues that they become security problems (Lupovici, 2019).

Securitization is a useful tool in security as it contests traditional approaches to security that are overly focused on the security of the state, rather than on other referent objects. Adopting a securitization framework entails challenging hegemonic and taken-for-granted ideas about the universality and objectivity of security and emphasizes the ways in which knowledge is not merely 'out there' but is driven by interests. Securitization theory reminds us that securitization is not a neutral act but a political one. From that starting point we are able to dig deeper and investigate the various insecurities that are found in international relations.

### **2.1.3 Realism**

Realism theory by Morgenthau (2006), is based on the assumptions of the centrality of a state; it's pursuit for power and a drive to satisfy self-interest (Jorgensen, 2017; Smith, 2010). It emphasizes the role of the nation-state and makes a broad assumption that all nation-states are motivated by national interests, or, at best, national interests disguised as moral concerns. It takes as its assumption that power is (or ought to be) the primary end of political action, whether in the domestic or international arena.

Bush decision to invade Iraq, the United States decision to put pressure to Kenya to tackle terrorism caused Kenyan to invade Somalia in 2011 and Kenya will have to comply with the United States because of the financial assistance received. These examples show how realist goals of power and interest are applied to influence a state's foreign policy actions. Smith (2010) posits that power is determined by the material capabilities that a state controls. According to IMF world economic outlook (2017) US is

the worlds' largest economy. Kenya appears to be on the receiving end of this global hegemon.

Smith (2010) argues that states will seek power because of the inherent nature in human beings to want to dominate, to be powerful and protect itself in the event of an attack. The United States top priority is its homeland security and after the September 11 attack, the US exercised its power both militarily and economically and declared war on terror and it made sure that its boat was not empty; US rallied other global actors to root out terrorism. Focus was shifted to different parts of the world to coerce them into the agenda, nations that were considered as sponsors or at risk of terror attacks such as Kenya because of the Al-Shabaab in Somalia were coerced in.

However, realism has typically relied on a gloomy view of humans derived from assuming a supposedly unchanging conflict-prone human nature. This leads to the second weakness, a tendency to treat politics both within and between states as involving unending competition for advantage. Many critics of realism focus on one of its central strategies in the management of world affairs on the balance of power. This describes a situation in which states are continuously making choices to increase their own capabilities while undermining the capabilities of others.

## **2.2 Concepts of Terrorism**

Alexander (2019) defines terrorism as the use of violence against random civilian targets in order to intimidate or to create general pervasive fear for the purpose of achieving

political goals. The definition brings out clearly the political nature of terrorism. It may be stated that violence and intimidation could be effective means to achieve multiple objectives, however, not all acts of violence are terrorism. Only those incidents of violence could be defined as terrorism which have political implications. Both the nature and purpose of terrorism is political. The ultimate goal of terrorists is to acquire political power.

According to Lasswell (2018), terrorists are participants in the political process who strive for political results by arousing acute anxieties. Crenshaw (2010) opines that terrorism is a means to accomplish certain political objectives with international support. She defines terrorism as the systematic use of unorthodox political violence by small conspiratorial groups, with the purpose of manipulating political attitudes rather than physically defeating an enemy. It may be emphasized that terrorism is an organized instrument to achieve political objectives and could be defined as an act or threat of an act of tactical violence by a group of trained individuals, having international linkages to achieve political objective. This group could be sponsored by state or non-state agencies.

Horgan and Taylor (2016), assert that terrorist radicalization is a dynamic process whereby an individual comes to accept terrorist violence as a possible, perhaps even legitimate, course of action. There is no single profile that encompasses all terrorists, nor is there a clear-cut pathway that leads individuals to terrorism. Schmid (2013) says that possible drivers of terrorist radicalization are varied and complex and combine in a unique way in each case. Profiles built on stereotypical assumptions based on religion,

race, ethnicity, gender, socio-economic status, etc. are not only discriminatory but are also ineffective.

Khan (2015), posits that it is ironic that global terrorism, the phenomenon of terrorists operating in and against several nations simultaneously, was facilitated by globalization and now it has become the biggest challenge to globalization. Global terrorism depends on the success of globalization. In-fact one may very conceive of global terrorism as a facet of the global culture resulting from globalization. Cernat and Vranceanu (2014) note that in the nineteen eighties as international theorists realized the growing power of economic inter-dependence, they began to theorize what would happen to the anarchic nature of global politics with the increased economic cooperation between nations.

Lutz (2017) contends that religious terrorism increased greatly towards the end of the twentieth century. On several occasions various religious groups have reacted negatively to the challenges that come with globalization. Globalization by its very nature has the potential to undermine traditional religious values in societies. On the other hand, Targowski (2014) posits that Western secularism has threatened indigenous cultures and local religions exposed to the broader world. The spread of ideas linked to globalization can actually promote rebellions rooted in religion, a reaction to the threat of global homogenization. One consequence of increasing globalization and the spread of secularization has been resurgence in religious beliefs, including fundamentalist views, in all of the world's major religions. There are Jewish extremist groups in Israel that have reacted to globalization not only by targeting Palestinian Arabs but by attacking Jewish

citizens that they see as too secular. Islamic groups have clearly responded to threats that globalization represents to them (Targowski, 2014).

According to Lutz and Lutz (2017), the global jihad has represented a continuing response to the threat that exposure to the broader world has represented to Islamic communities. The earlier violence involving Palestinians, especially the Palestinian Liberation Organization (PLO), was more of a nationalist response to the presence of Israel rather than a religious one but reflected at least in part globalization effects. However, Beelman (2011) notes that Boko Haram in Nigeria is just one of the latest manifestations of this trend. The economic dislocations that came with globalization have marginalized many individuals in northern Nigeria, including groups of Muslims who have lost both their economic and social status. Many of them have been attracted to Boko Haram.

Terrorism is an age old phenomenon but has acquired new dimensions in view of technological and societal changes (Khan & Estrada 2017). The nature, targets and rhetoric of international terrorism have changed dramatically since the end of the cold war and the emergence of globalization. It is no longer a domestic phenomenon but global in scope and reach. To quote Carter (2016), the threat of catastrophic terrorism spans the globe defying ready classification as solely foreign or domestic. Terrorism, today, has changed from being a vehicle of intra-state violence to a transnational phenomenon, where loosely organized international network of terrorists use mercenaries, organized crime cartels, sophisticated weaponry and modern communication to operate from, through and into various countries. International

criminal and terrorist organizations have become intrinsically linked, thanks to globalization and have learned to use technologies driving globalization (Baker & Carson, 2020).

Globalization has had an additional effect on the prevalence of terrorism and the techniques used (Schaub, 2019). The presence of modern communications and transportation has provided opportunities for violent organizations to learn from each other, to communicate with members in distant locations and to reach out to possible recruits. It also provides greater opportunities for violent groups to attempt to influence external actors with their attacks. Targowski (2014) asserts that although anarchists practiced an early form of leaderless resistance attacks with their campaigns of assassinations, this type of terrorism has become more prevalent with the internet and social media. Cernat and Vranceanu (2014) point out that the Islamic State in Syria and Iraq (ISIL) has demonstrated all too well the potential that modern forms of communications have for recruiting potential foreign fighters to its ranks and incite others to undertake lone wolf attacks on their home ground. Modern transportation linkages have facilitated travel, allowing the launching of terrorist attacks in foreign countries (Mekaj, 2020).

The technological advances associated with globalization have improved the capabilities of terrorist group to plan and coordinate their operations before any information is link out (Onwudiwe, 2018). In particular technology have improved to the extent that terrorist now have the internet to use as a main to empower individual and cell with the ability to post tracts on the world wide web. Globalization and its technological advancement has

also seen the commercial availability of radios and handheld phones, which allowed terrorist cell to operate independently at a substantial distance (Seead, 2018). Terrorist groups have able to leverage technological development designed to shield identity from unauthorized commercial or private exploitation.

## **2.3 Trends in Terrorism**

### **2.3.1 Trends in Terrorism from a Global Perspective**

Terrorism remains a transnational threat that entails risks to global interests emanating from and manifested in both the international and domestic environment (Gaub, 2017). The past few years have witnessed an increase in terrorist actions by entities claiming some affiliation with or philosophical connection to Al Qaeda. Global terrorist attacks were conducted by individuals or small terrorist cells that received support ranging from resources and training to having minimal connections, if any, with the terrorist groups to which they claim allegiance (Painter, 2013). The complexities and uniqueness of its approach in the present day sets it apart from traditional forms of terrorism (Staniland, 2011). The very nature of terrorism in the region has a strong cross border context and content, which is at the core of any discourse on subcontinental terrorism.

Terrorists operate at international level, no longer concentrating on a particular region or country (Veness, 2017). The terrorist groups receive or derive vast economic, military and other forms of support from overseas ranging from sanctuary, finance, weapons and training from other governments, NGOs and individuals. Another trend is the shift from



well organized, localized groups supported by state sponsors to loosely organized international network of terrorists. Terrorism has evolved over the last three decades into an organized international network. The terrorist groups not getting major financial support from states/governments have turned to new forms of making money like drug trafficking, private sponsorship, crime and illegal trade (Gary, Laura & Cragin, 2017). Though some formally organized terrorist groups do have legal source of funding, yet a large sum comes from illicit channels mainly from international drug trafficking. The nexus between narcotics and terrorism has led to a new term Narco-terrorism, recognized as one of the oldest and most dependable sources of terrorist financing, primarily because of the magnitude of finance involved in both the activities (LaFree & Dugan, 2016).

Historically, the 1970s and 1980s were Europe's most violent decades in terms of terrorism after the Second World War. During the peak of this period, terrorism claimed more than 400 victims in Europe per year, nearly double the number that have been killed in terrorist attacks over the last five years (World Data, 2020). Between 1985 and 1986, for instance, France experienced no less than 13 terrorist attacks on its territory. Both left- and right-wing terrorists in the 1970s and 1980s claimed the lives of around 100 civilians (World Data, 2020). While left-wing attacks were more frequent, rightwing attacks were more lethal a single attack on Bologna central train station by a fascist group left 85 civilians dead in 1980, for instance. While terrorism during those two decades was a problem for several European states, the overwhelming majority of European terror victims came from Spain and the UK nearly 2,000 civilians were killed over the course of the conflict in Northern Ireland, and almost 900 fell victim to the actions of the Basque organization ETA (Counter-Terrorism Committee Directorate, 2017).

A large number of these terrorist attacks were driven by nationalism: whether Irish, Spanish or Palestinian terrorists acting on European soil, their ultimate proclaimed goal was often self-determination (Wieviorka, 2018). Another portion particularly left- and right-wing extremists were, however, motivated by the desire for regime change. Whereas the German Red Army Fraction or the Italian Red Brigades pursued the establishment of a communist society by revolutionary means, rightwing organizations sought the imposition of other authoritarian systems. Other terrorist attacks, such as those funded by the Libyan regime, had no clear identifiable ideological goal beyond a desire to cause chaos (Nesser, 2018).

Terror attacks in Europe finally died down in the late 1990s: the 1998 Good Friday Agreement significantly reduced violence in Northern Ireland, the German Red Army Fraction disbanded the same year, and ETA announced an extended ceasefire (Humphreys, 2018). Further afield, the 1993 Oslo Accords sharply reduced Palestinian terrorist activity on the continent, while the end of Algeria's civil war in the early 2000s stopped violence from spilling over into France (Nesser, 2018).

However, this trend began to be reversed in the mid- 2000s with the terrorist attacks of Madrid and London (Studnicka, Neary & Lawless 2019). And accompanying this numerical change was also one of substance and modus operandi. While terrorist attacks in Europe used to be perpetrated by separatist and revolutionary movements which acted largely independently of one another although operational links did exist the phenomenon is now far more transnational in nature. Terrorism has become truly European in the

sense that terrorists form networks, exchange funds and information across borders, and can live in one European country, perpetrate an attack in a second and hide in a third (Fenton, 2018). A second novelty is that now more than before, European terror is linked to its southern neighborhood. There had, of course, been previous terrorist attacks planned from the south, but whereas these were organized by citizens from third countries, it is now European citizens themselves who perpetrate attacks in the name of non-European organizations such as Daeshor al-Qaeda (Duerr, 2018). This highlights the importance of a shared European response, particularly with regard to European returnees from Syria and Iraq. Compared to other countries, terrorist acts in Europe remain relatively uncommon. While it is true that terrorism as a phenomenon is on the rise, the majority of attacks occurred in non-European countries.

### **2.3.2 Trends in Terrorism from a Regional Perspective**

Since 1990's, the African continent has witnessed an escalation of international terrorism, which has led to loss of lives and destruction of property. The major terrorist groups operating in the continent include, but are not limited to Boko Haram that forbids Western education in Nigeria, al-Shabab in the horn of Africa and al-Qaeda in the Islamic Maghreb (AQIM), which operates in Algeria, Morocco and areas along the Sahara (Nnam, Ugwuoke, Njemanze & Akwara, 2020). In the recent Global Terrorism Index report (2014), Nigeria bares the highest number of attacks in Africa and is position four globally. Somalia follows Nigeria closely at position seven and Kenya at position twelve (Institute for Economics and Peace, 2014).

Though terrorism is not a new threat or concept for communities and governments in Africa, what is perturbing is that Africans often use Western models to categorize terrorism, the tactics used and its impact (Botha, 2018). However, the use of Western concept should not repudiate the existence of terrorist activities in Africa from 1990s, when al-Qaeda and Osama bin Laden operated in Sudan (Kagwanja, 2006). This saw Al-Qaeda playing a role in the attacks on American and United Nations forces in Somalia during the humanitarian intervention that began late 1992 (Kaufman, 2012).

Africa has played host to the scourge of terrorism in recent years, emerging in different parts of the continent as a major challenge. The terrorists are diverse in terms of their activities, motivation, networks, financing, security implications and results (Ajide, 2019). Terrorist activities, successive attacks, and propaganda in the world stage and in Africa demonstrate new intentions, capabilities, and opportunities for further attacks. Among other reasons, their activities are results of lethal offshoots of political use of religion, defective education system and the socio-economic backwardness of the continent, generating security threats, creating bottlenecks in socio-economic and political development (Davis, 2016).

Among the nations of the world, the sub-Saharan region of Africa is more popular for terror with 16 countries having high terror risk ratings (Bagchi & Paul, 2018). These countries are chiefly clustered in an adjoining block stretching from west to east Africa, such as Nigeria, Kenya, Somalia, Mali, Central African Republic, Democratic Republic of Congo, South Sudan and Chad. This is unlike the southern region which stands out as a sub-region of relative stability (Targowski, 2014).

Terrorism in Africa is growing exponentially due to the continent being home to both a facilitating and target-rich environment for terrorists that are seeking global influence (Asongu & Tchamyou, 2018). Terrorist groups are arming themselves with the technical tools and expertise needed to attack the networked systems that stabilize Western governments, companies, and critical infrastructure. Although they are not known for being particularly sophisticated in their use of technology beyond social media and encrypted messaging services, terrorists are aggressively seeking ways to bridge gaps in their technical knowledge. Terrorist groups are actively recruiting tech-savvy operatives and procuring advanced cyber weapons to wreak havoc on modern society (Gyamfi, 2020).

Ackerman (2014) is of the view that terrorism across the African continent can be seen in two lights, the direct costs in terms of damage to infrastructure, and the indirect costs in terms of withdrawal of investments and decline in tourism through global image problem. Ackerman (2014) further noted that the effect terrorism has on the African continent can be categorized into two distinctive groups, targets and agents: One where African countries were targets of acts of terrorism, and the other where African nationals were the terrorists in other countries. The bombing of the US Embassy in Kenya and Tanzania in 1998 aligns with the first category, as two countries in Africa became the targets, or victims of acts of terrorism. Although the bombings targeted a foreign entity, it was still on African soil. African agents of terrorism can be seen in many regional terror groups such as Boko Haram and al-Shabaab in West and East Africa respectively (Alvi, 2019).

Kenya, Uganda, and Tanzania are well aware of the dangers of transnational terrorism. All three governments cooperate with the US on counter-terrorism programs (Botha, 2016). Kenya has been especially forthcoming and participates in the US Terrorist Interdiction Program. It is one of only two countries in Sub-Saharan Africa to have a military access agreement with the US. Tanzania cooperated last year with the US on civil aviation security, anti-money-laundering initiatives, border control, and police training (Ali, 2016). Uganda joined the coalition of the willing against Iraq, albeit without offering material support. All three countries are constrained by inadequate resources and lack of trained personnel. They are all soft targets and offer a rich assortment of Western targets (Kanya, 2016). Sixteen people died in 1980 during a terrorist attack on the Israeli-owned Norfolk Hotel in Nairobi. The al-Qaeda attacks against the American embassies in Nairobi and Dar es Salaam in 1998 and then against the Israelis in Mombasa in 2002 underscores this point (Chumba, 2016).

Tanzania and Kenya are easily accessible surreptitiously by sea and both have a small, radicalized Islamic element that has assisted outside terrorist groups (Cannon, 2016). Kenya has a particularly porous border with ungoverned Somalia. The Kenyan government has long been concerned about the activities of the Islamic Party of Kenya, an unregistered organization with significant strength on Kenya's Swahili coast and one that has had frosty relations with the US. A support network for terrorists has developed along the coast where persons coming from the Gulf States, Pakistan, Somalia, and the Comoro Islands can blend in with ease. Pervasive corruption among Kenyan immigration personnel makes it possible for these individuals to obtain citizenship and engage in legitimate cover businesses (Muiruri, 2013).

Kimunguyi (2019) argues that East Africa region is vulnerable to terrorism because countries in the region experience: conflicts, weak governance, collapsed state institutions; porous borders that allow extensive and uncontrolled movement of people and illegal weapons; increased extremist religious ideology and radicalization of vulnerable groups. According to Kamau (2016), the lack of stability in Somalia has made it a safe haven for terrorist groups to operate their networks both regionally and internationally. Al-Shabaab are blamed by the Ethiopian, TFG and AMISOM forces for the deterioration of security, the spillover of conflict to neighboring countries, including Kenya, and the grave humanitarian situation which persists in large parts of Somalia (Kamau, 2016).

### **2.3.3 Trends in Terrorism from a Local Perspective**

The first terrorist attack was in 1976, a plot by the Palestinian Front for the Liberation of Palestine (PFLP) and the Baader-Meinhof group (Red Army Faction) to shoot down an El Al Israeli civilian plane passenger plane during a scheduled stopover for refueling in Nairobi after the Entebbe raid dubbed 'thunderbolt' (Mogire & Agade, 2011). This was thwarted due to intelligence sharing between the Israelis and Kenyan security apparatus (Aronson, 2013).

This was followed by first successful international terrorism attack on Norfolk Hotel in Nairobi by the PLO in 1980 as a retaliation against Kenya for allowing Israeli military planes to refuel in Nairobi during their raid to free Israeli hostages at Uganda's Entebbe Airport, in 1976 (Otenyo, 2014). This was after the hijacking of France Airline carrying

248 passengers. The attack resulted in death of 15 people and injuring 80 (Forest & Giroux, 2011). The bomb was planted by a Moroccan, Qaddura Mohamed Abdul el Hamud a member of the Popular Front for the Liberation of the Palestinian (PFLP). The Norfolk Hotel in Kenya was choice of target because it was owned by a Jewish family (Otenyo, 2014). This drew Kenya into the Israeli-Palestinian conflict.

The 1998 twin attack on the US embassies in Kenya and Tanzania conveyed to the world the presence of al-Qaida operatives in East Africa and the Horn of Africa. The al-Qaeda attack on the US embassies in Tanzania and Kenya were planned during Osama's stay in Sudan. The August 7, 1998, attack resulted in the destruction of property and loss of life of 224 Kenyans and 12 Americans and injured more than 5,000 people (Adan, 2015).

The terrorist attack on the embassies of US in Kenya and Tanzania was revealed during the trial of Jama Ahmed Al-Fadi testimony in 2001. According to his testimony, the embassies were bombed because bin Laden was angry at the US intervention in the civil war in Somalia in the early 1990s (Griset & Mahan, 2013). This attack laid the ground for Kenya's cooperation with international communities in the fight against terrorism. As retribution for Kenya's cooperation with the Western countries and Israel in the fight against international terrorism the Palestinian Army bombed, an Israeli owned Paradise Hotel along the Kenyan coast in 2002 (Botha, 2013). Two suicide bombers blew the hotel, killing 12 locals, three Israelis and wounding another 80 people (Botha, 2013; Kagwanja, 2006).



The same day, there was an attempted attack by al-Qaeda terrorists on Israeli bound plane, Arkia airliner at Mombasa airport using surface-to-air missile. The missiles missed the airline, but this had implications on the safety of airlines in the country. There was an international effort through cooperation with local security apparatus to unearth individuals behind the attacks. It took well concerted efforts of FBI of US, Mossad of Israel and local security apparatus for the masterminds to be brought to book. Fazul Abdullah Mohammad, a Comoros citizen and a local leader of the al-Qaeda terrorist in the Horn of Africa masterminded the attacks (Adan 2015). Because of the porous borders along the Kenyan coast and the north Eastern part, Fazul moved in and out without detection.

In 2010 and the subsequent years, the country witnessed an upsurge in terrorist attacks attributed to al-Shabaab terror group. The increasing levels of attack by al-Shabaab in Kenya coincided with the loss of its last urban stronghold in southern Somalia, the port city of Kismayo, on October 2012 (Ross & Barr, 2015). Before the intervention in Somalia, the group targeted government officials, foreign workers by either abducting or killing them. This mode of terror attacks changed by shifting their targets to Christians and sparing Muslims with the aim to plunge the country into a religious war (Omayio, 2014).

Since Kenya's intervention in Somalia, the country was attacked severally. On September 21, 2013, militants linked to al-Shabaab carried out attacks on the Westgate shopping mall in Kenya. The attack lasted four days with the number of those killed reaching 67 and several people wounded (Nzes, 2014). The attack was a retribution for the continued presence of

Kenya's Defence Forces (KDF) in Somalia. The Westgate mall was a target of choice because it had international significance and more so, it is partially owned by Israelis (Blanchard, 2013). However, their lethal terror attack in Kenya was the Garissa University attack because of the number of casualties of around 147 and injuring 76 (Mukinda & Mutambo, 2015).

In Kenya, the group has embraced all Muslims and their only enemy is Christianity and Christians (Warner, 2015). This is exemplified in the recent pattern of attacks targeting Christians. This is different as in the Somalia case where they were known to stoning women and cutting the hands of thieves. In the country, they portray themselves as pan-Muslim protector (Warner, 2015). The Westgate attack revealed the groups capability of conducting a complex terror attack in the region to the Kenyan government and the international community.

Nevertheless, with the current threat from al-Shabaab there has been a changing trend in the choice of targets for attacks of which shows rationality of the group in selecting targets with highest payoffs. The initial terror attacks in the country mostly targeted the Western interest in the country such as the embassies, investments and even the Western countries and Israel citizens; this, however, has changed with al-Shabaab targeting the locals in order to compel the government to withdraw its troops from Somalia.

According to Ndzovu (2017), the political environment in Kenya appears to presage the continuation of politicized Islam. Despite the setback when the Islamic Party of Kenya was denied registration, Muslims are still an important oppositional force to the political

leadership, and the influence of Islam should not be underestimated in national politics. Although Islam in Kenya will continue to be the religion of a minority, its impact on politics at the national level cannot be ignored. Its aggressiveness in offering a politicized Islamic opposition in Kenya has deepened the already prevalent fissures along ethnic lines. Political parties in Kenya embody polarization along ethnic lines, and ethnicity increasingly comes to be a relevant reference pertaining to political alignment. Muslims in Kenya experience both ethnicization and racialization, where the split between the Islamic Party of Kenya (IPK) and United Muslims of Africa (UMA) embodied specifically a growing racial polarization between IPK and UMA. The UMA party stressed its African identity before Islamic solidarity. Some of the postcolonial regimes in Kenya have allegedly exploited these differences to weaken any efforts of the Muslims' united political voice. The postcolonial leadership sought to utilize Muslims' schisms to scatter any attempt at Muslim unity that threatened their political careers. Consequently, this racial polarization has been the main predicament of a Muslim political movement in Kenya.

## **2.4 Strategies Adopted in Countering Terrorism**

### **2.4.1 Global Counterterrorism Strategies**

In response to 9/11, the U.S. quickly constructed a counterterrorism strategy that was focused on removing the safe haven al-Qaeda used to plan their attack (US State Department, 2017). Within three months, U.S. troops entered Afghanistan, drove the Taliban from power, and forced al-Qaeda to flee. Though the U.S. invasion of Afghanistan began with a quick and decisive victory, prolonged counterinsurgency operations and failed nation-building set an ineffective standard for twenty-first-century

counterterrorism. More than eighteen years later, the War in Afghanistan endures now the longest war in American history and often characterized with no end in sight (US State Department, 2017).

Despite a cost of nearly six trillion dollars and the loss of nearly 7,000 U.S. military service members, the Global War on Terror continues to underpin U.S. counterterrorism even though the term itself has become archaic (Counter-Terrorism Committee Directorate, 2017). For nearly two decades, the U.S. has relied on the same military-centric strategy that has proven itself unable to resolve complex foreign policy issues around that globe. With military engagements in countries throughout the Middle East, North Africa, and South Asia, the U.S. has found itself stuck in a perpetual stalemate: unable to make progress against global terrorism but unwilling to give up (Argomaniz, Bures & Kaunert, 2017).

The United Nations Resolution (number 1373) issued on 28 September 2001 established the Counter-Terrorism Committee and in September 2006, the UN adopted the Global Counter-Terrorist Strategy (United Nations Security Council, 2010). The United States adopted their National Security Strategy for counter-terrorism in September 2002. The global move against terrorism enhanced the international efforts to combat terrorism. The US and the UK represent a significant part in the global movement against terrorism. The main steps were taken in 2002 when the UK, Germany, France Spain and Italy looked very closely at their legislation on terrorism and updated the offences related to terrorism including threatening the public as well as recruiting and training terrorists. In the same

year, the EU established the Europe Arrest Warrant, but it only became operational in 2007 (United Nations Security Council, 2010).

The new security pillars were adopted by the EU countries in 2005. The major problem of the Counter-Terrorism strategy was the lack of cooperation between the EU countries. Some of the members were unwilling to share the intelligence information with the other countries, while others preferred the bilateral agreements. The other problem was that Europol did not have the power to make arrests, they could only exchange information with the EU police regarding criminals. There was no exchange of intelligence information with the other EU intelligence agencies and it was limited only to the police. As a result, the EU institutions experienced limitations when exchanging the necessary intelligence information. There was a lack of executive power inside the EU. Also, there was not a strong executive mandate which could lead the fight against terror in the EU and the contiguous region (Argomaniz, Bures & Kaunert, 2017).

Despite Europe combating terrorism for a long time, since the 1960s, the EU did not prioritise Counter-Terrorism and did not consider it a national security threat. This was the case until the catastrophic terrorist attack in the United States which caused mass casualties. On 21 September 2001, the EU decided that Counter-Terrorism was a priority, therefore it started to develop and implement the roles which have been deliberated before the 9/11 attack.

An EU Counter-Terrorism strategy was adopted in December 2005. The EU legal framework produced a long-term strategy to combat the terrorism inside and outside of

the EU and it contained four new pillars: Prevent, Protect, Pursue and Response (European Council, 2015).

### ***Prevent***

Preventing is the most challenging pillar of the Counter-Terrorism Policy and it is important because it represents the main aim of all the intelligence agencies: to prevent the threat on the country. Since December 2005, when the EU adopted the four new pillars for combating terrorism, the Action Plan implemented more than 25 measures based only on the Prevention pillar. This contains seven approaches which are the key priorities of the EU foreign and domestic policy. The aim of the new measures and key approaches is to limit the radicalization of people by turning them into ISIS or Al-Qaeda terrorists. It also aims to combat the causes of terrorism, radicalization and recruitment, and prevent the justification of terrorism as there is no excuse for terrorism. The majority of the EU community, no matter what sort of belief they follow, refuse the fundamental ideology promoted by terrorists. The main aim of the intelligence communities is to combat the terrorist propaganda and the circumstances that lead people to get involved in terrorist acts (European Council, 2015).

### ***Protect***

Protecting the infrastructure and strengthening the defense strategy against terrorism is the main aim of the Protection pillar. Thus the impact of terrorist attacks is reduced and the cooperation between the internal and external borders of the EU is improved. Also, the exchange of information between the police and the judiciary inside EU member states is done more efficiently. The level of exchange of information between the EU countries is still one of the obstacles of the Action Plan measures. The key priority of the

EU is to have an agreement to protect the infrastructure program introduced by the EU Council as well as improve and exchange passenger data (European Council, 2015).

### ***Pursue***

The main objective of the Pursue pillar of the EU Counter-Terrorism strategy is the pursuit of terrorism around the world and across the EU borders including preventing travel planning, pursuing the terrorist communication, infiltrating terrorist support networks, blocking terrorist funding and bringing the terrorists to justice. The EU Action Plan has more than 60 measures and the pursuit of eight of these measures is a priority for the Action Plan. These measures include strengthening the EU capabilities for counter terrorism, blocking terrorist financing and money laundry, blocking the access to weapons and explosives including homemade explosives, chemical, biological and radiological materials, reinforcing the law enforcement and changing the information between the EU member states and other countries outside of the EU (European Council, 2015).

### ***Response***

The objective of the Response pillar is to improve the capability, coordination and response in order to minimize the consequences of a terrorist attack. In 2001, the EU developed the EU Community Civil Protection Mechanism (CCPM) and today this represents one of the best efforts of the EU response (Community Civil Protection Mechanism, 2018). CCPM continually reinforced that there should be a fast response in case of any disasters, not only in the case of a terrorist attack. There should be a similar response in terms of other disasters such as earthquakes, forest fires and floods. Each EU member should respond to the crisis within their own country and look after their citizens

living abroad as well. Another task of the Response pillar is to link the political response and the emergency management, to make sure the elements are integrated to a high degree and the conformity takes place horizontally and vertically (European Council, 2015).

Despite the great developments of the EU Counter-Terrorism Strategy since 2001, a significant challenge still remains. The European Union Counter-Terrorism Strategy was criticized due to the slow bureaucratic process and for the fact that it became active only after the terrorist attacks. This happened because a large number of EU member states refused to participate or provide the EU legal institutions with enough information to combat terrorism. The success of the EU Counter-Terrorism Strategy would be achieved when there is a high level of cooperation and coordination between the EU member states and the EU institutions at a national level (European Council, 2015).

#### **2.4.2 Counterterrorism Strategies in Africa**

In Africa, a number of regional inter-governmental organizations, such as the African Union (AU), recognized the challenge of terrorism and took steps to respond. However, many of the anti-terrorism instruments that were adopted were not implemented broadly by their member States (Omenma & Hendricks, 2018). International counter-terrorism efforts are likely to succeed only with significant improvement in cross-border cooperation and collaboration, exchange of information, and intelligence sharing. In essence, States must be able to protect their borders and must have the capacity to provide mutual assistance to each other in the investigation, apprehension and



prosecution of terrorists, thereby denying safe haven to them and their supporters (Collier, 2018). However, most states lack the requisite legal and operational capacities; terrorism is not comprehensively defined; and most countries treated acts of terrorism as domestic rather than as international crimes, hence acts of terrorism were not defined as extraditable offences in the criminal codes of many countries and in mutual assistance treaties and other bilateral agreements to which they were parties.

The AU Commission reached out to the UN system and other bilateral partners, including through a meeting convened for this purpose with UN bodies and other partners at its headquarters in Addis Ababa in 2003 to seek guidance and assistance in establishing a viable counter-terrorism unit within the Commission (Sheehan, 2014). However, the Commission's expectations were not met, as UN and other international partners, in particular bilateral donors, preferred to retain control of the assistance they were providing by working directly with AU member States.

Thus, the AU's reliance on technical assistance from international partners and donors, both at the AU headquarters and later at the African Centre for the Study & Research on Terrorism (ACSRT), to build its own counter-terrorism capacity and effectiveness has been circumscribed from the very outset by the level of available external assistance (ACSRT, 2018). While this dependence on external partners remains, there are efforts and some progress, especially through the ACSRT, to build AU capacity to deliver technical assistance to AU member States directly. However, despite the AU's efforts, and while some progress has been made, carrying out the UN counter-terrorism mandates has proven to be quite challenging to the AU Commission and most African States.

Limited financial, human and technical resources, as well as other pressing priorities on the continent, are cited often as reasons for lack of full and effective implementation (Porter, 2014). This might have created a problem and thus the threat and the need to combat transnational terrorism between states is important.

The Trans-Sahara Counterterrorism Partnership (TSCTP) was designed to build the capacity and cooperation of military, law enforcement, and civilian actors across North and West Africa to counter terrorism (TSCTP, 2019). Areas of support include: (1) enabling and enhancing the capacity of North and West African militaries to conduct counterterrorism operations; (2) integrating the ability of North and West African militaries and other supporting partners to operate regionally and collaboratively on counterterrorism efforts; (3) enhancing individual nations' border security capacity to monitor, restrain, and interdict terrorist movements; (4) strengthening the rule of law, including access to justice, and law enforcement's ability to detect, disrupt, respond to, investigate, and prosecute terrorist activity; (5) monitoring and countering the financing of terrorism (such as that related to kidnapping for ransom); and (6) reducing the limited sympathy and support among communities for violent extremism (TSCTP, 2019).

In the Horn of Africa, the multiple cross-border flows of violence and instability have undermined state-based approaches to conflict resolution and management and rendered them increasingly obsolete. The disintegration of state and society in Somalia after 1991 was the most prominent, but by no means the only, manifestation of the unraveling of boundaries and postcolonial polities.

Kimunguyi (2019) outlines all countries in EA as victims of terrorist acts; either been carried out by and against a country's nationals for a domestic cause or they have focused on 'extra-national' or 'extra-regional' targets, such as Western targets located in the region (Rosand, Millar & Ipe, 2019). According to Kimunguyi, the East African region has experienced prolonged and severe intra- and inter-state conflict, leading to instability, poverty, and political isolation that make it vulnerable to terrorist exploitation.

Although considerable improvement has been made in responding to the threat of terrorism in East Africa. However, the region is still confronted with many challenges including: extreme intra- and interstate conflict; increasing radicalization; lack of state capacity; competing national priorities; political sensitivity surrounding the very notion of counter-terrorism. Rosand, Millar and Ipe (2019) have observed that most counterterrorism efforts have focused on short-term security and law enforcement efforts, which have affected longer-term measures to address primary conditions favorable for the increase of terrorist activities. They further argue that the courts do not initiate the laws that govern how terrorism is fought, nor do they execute those (Rosand et al., 2019).

The government of Nigeria has been using military force and police action against the group including arrests. The 2009 attacks by the group, in Bauchi, invasion of a police station in Dutsen Tanshi and further eruption of violence in other states compelled the use of force and repressive policies. Rampant arrests, extrajudicial killings and massacres were used and consequently created a rift between the community and security forces (Eji, 2016).

The armed assault resulted in the death of the leader, Mohammed Yusuf and a new leader Abubakar Shekau replaced him. This change of leadership brought in new waves of violence that targeted towns and villages, alternative ways to launch attacks such as suicide bombings and advanced explosive devices and change from low profile to high profile attacks such as the United Nations building in Abuja, abduction of the Chibok girls and the attack on the Nigerian Police headquarters in Tunun Wade (Eji, 2016).

#### **2.4.3 Counterterrorism Strategies in Kenya**

Kenya counterterrorism responses range from military, intelligence and law enforcement, financial controls, economic, diplomacy and information sharing. Kenya has made strides in incorporating diverse measures to counter terrorism; its mixed approach now encompasses both military and nonmilitary approaches. Kenya's fight against terror involves the use of the National Intelligence Service for surveillance, the General Service Unit to deal with civil rebellion and the Anti-Terror Police Unit to fast track counter terror responses. Irrespective of the progress and efforts, Kenya has come under criticism on its combative and deterrence approaches in the fight against terrorism (Goldman, 2015; Akwiri, 2017; Kirechu, 2016).

In a bid to address the threat of terrorism, its approaches have been labelled as controversial, with reported cases of a host of abuses including arbitrary arrests religious profiling, random acts of disappearances and killings (Dzenisevich, 2016; Namwaya, 2017).

The war on terror in Kenya is far from done; Kenya's counterterrorism policy is still building uncertainties in Kenya's future national security and the threat posed by al-Shabaab is still in existence (Kirechu, 2016). Even with Kenya's holistic incorporation of non-military or rather soft power approaches its strategies are still in question. (Hoeft, 2015) argues that soft power measures are designed to incapacitate extremist movements, by crippling their foundations. These soft measures are equally geared towards countering radicalization, which Kenya has taken on through its counter violent extremist programme (Cherono, 2016).

Gaituku (2014) study approach primary focus was on the role of Non-State actors in helping counter terrorism in Kenya. It discussed counterterrorism strategies; briefly looking into Kenyan efforts as it relates to AMISOM, the National Counter Terrorism Center (NCTC), legislations and law enforcement and Operation Linda Nchi. However, these aspects were discussed rather briefly and furthermore, the study put more emphasis on partnerships that Kenya has with NGO's, NSA, the private sector, the media and others in an effort to fight terrorism.

According to Okinda (2016) study on counter terrorism, the focus was geared towards reforming the security sector while examining Kenyan's reforms with a focus on government agencies that deal with counterterrorism namely, the National Intelligence Service (NIS), Anti-Terrorism Police Unit (ATPU), the National Counter-Terrorism Center (NCTC) and the legislations that have taken place.

Kenya has formulated counterterrorism strategies and mechanism in an effort to counter the terror threat. In 2014, the Kenyan Legislature approved the ‘Security Law (amendment) Act’, which was meant to reinforce the existing terrorism legislation (Glück, 2017). It also created the National Counter Terrorism Center which is mandated to harmonize counterterrorism efforts, aimed at identifying, dissuading, and neutralizing terrorist threats within Kenya. Accordingly, NCTC is a multi-agency body that comprises of; A director, the National Intelligence Service, the AG, the Director of immigration and Registration and the National Police Service. It is tasked with creating a terrorism database that would aid law enforcement to identify, prevent and neutralize a terror threat (Mwangi, 2017).

In addition, Kenya is engaged in police collaboration initiatives with INTERPOL and the East African Police Chiefs Co-operation Organization (EAPCCO) which aims at apprehending transnational criminals such as terrorists, and providing cooperation on such matters. Similarly, the Peace and Security Protocol of the EAC, which Kenya is party to, builds the capacity of states to tackle terrorism and is a platform for counterterrorism information sharing among members (Cannon, 2016).

## **2.5 Impact of the Counter Terrorism Strategies on Security in Kenya**

Kenya’s incursion into Somalia in October 2011, in pursuit of al Shabaab militants that had carried attacks within the Kenyan borders marked a new era in the Kenyan counterterrorism strategy. However, this has not effectively thwarted the al Shabaab terror attacks within the country. For instance, in 2015, al Shabaab operatives conducted

one of the largest terror attack at Garissa University that led to 150 civilian casualties. This was termed as a retaliatory attack to the Kenyan military operation in Somalia. In fact, several subsequent terrorist attacks have been attributed to al Shabaab. Hence, it is evident that a military strategy in counterterrorism is not effective in curbing the threat posed by al Shabaab, as it is attributed to reprisal attacks in response to the Kenyan military presence in Somalia (Biegon & Songa, 2020).

Additionally, inter-agency coordination to a terrorist attack is not well organized. This was witnessed during the response to the Westgate mall attack by al Shabaab militants in 2013, where an inter-agency rivalry between the army and law enforcement resulted in a member of the law enforcement officers being gunned down in a friendly fire (Mongare, 2018). A command control post was missing perhaps leading to the inter-agency confusion during the rescue operation at the Westgate shopping mall. Accordingly, although the NCTC is mandated to coordinate inter-agency counterterrorism initiatives, more effort has to be put in actual coordination of the first responder agencies in terrorist attacks (Sempijja & Nkosi, 2019).

A legal anti-terrorism regime was finally adopted by the Kenyan legislature in the form of the Prevention of Terrorist act of 2012. This was in an attempt to domesticate counterterrorism measures into law pursuant to the various international and regional conventions that Kenya is party to. However, the Act was not collectively accepted and was subject to opposition by human rights groups and civil society on the ground that it was unconstitutional, then consequently challenged it at the High Court (Agiso, 2018). As a result, 4 clauses were deemed unconstitutional and were invalidated. Accordingly,

this poses a challenge in effective implementation of this Act as a counterterrorism measure. In addition, the anti-terrorism legal regime lacks a witness protection mechanism that encourages witnesses to come forward to report suspected terrorist activity. This in turn discourages witnesses from testifying against suspected terrorists as they fear for their lives (Owuor, 2018).

In an attempt to curb terrorist financing, the Kenyan legislature passed the ‘proceeds of crime and anti-money laundering Act’ of 2009. However, the financial reporting center lacks adequate structures aimed at identifying, tracing, freezing and repatriation of proceeds of crime, hence the law hasn’t been fully operationalized as a result (Ngeno, 2019). For instance, according to the department of state, informal financial structures such as the ‘hawalas’ are common money laundering avenues that have remained unregulated. These informal financial regulations coupled by unregulated money transfers present a challenge to implementing an anti-money laundering counterterrorism policy.

## **2.6 Role of Foreign Diplomacy in Kenya Counterterrorism**

Various foreign countries and bodies have played a part in Kenyan efforts to fight terrorism. Kenya’s anti-terrorism efforts receive external support mainly from the US, the UK, and the Danish governments. While there are important similarities between the three donors, there are also key differences. The British counterterrorism strategy emphasizes civilian programmes targeting crucial parts of the population in order to ‘prevent the radicalization of individuals’. Denmark emphasizes its comparative



advantage of soft interventions and does not provide bilateral military assistance or training to Kenya. By contrast, the US concentrates on military and security assistance in combating terrorism and stabilizing states, supplemented by a democratization agenda. Compared to the UK and Denmark, US programmes are also more clearly driven by homeland security concerns and the development agency USAID has relatively little influence on these imperatives. The anti-terrorism agenda is an important part of the Kenya policy of these donors. Each of them is involved in one or more of the following strategies: granting hard security assistance to state security forces; providing legal advice on anti-terrorism legislation; and engaging with crucial parts of the population on soft security issues.

The UK's assistance to enhance Kenya's control capacity at the Somali border also fits into the role through the Foreign and Commonwealth Office's Global Opportunities Fund, the Administration Police have received communication hardware and operations training in order to 'limit infiltration' of militants. Additionally, the British military has been involved in training special counterterrorism forces in Kenya.

In April, Kenya signed an agreement with the United States to implement the Automated Targeting System-Global to facilitate sharing of Advance Passenger Information for air travelers. Kenya worked to improve aviation safety and security at Nairobi's Jomo Kenyatta International Airport. Kenya established an interagency Joint Operations Centers at several ports of entry and border crossings to promote information sharing and maintained its traveler screening partnership with the United States using the Personal

Identification Secure Comparison and Evaluation System (PISCES) at major ports of entry. Immigration officers employed government watchlists.

The United States has a strategic interest in Kenya's security and stability, and that commitment is reflected in our partnership on regional and global security issues. The United States has four security assistance objectives in Kenya: professionalize the Kenyan military forces; increase Kenyan counterterrorism and border security capabilities; increase maritime security awareness; and improve peacekeeping capabilities. The longstanding security assistance program has been a cornerstone of the bilateral relationship. Both anti-terrorism programmes have now been integrated into the new US Africa Command (AFRICOM) through which the Pentagon streamlines its military activities on the continent. In addition, governments of strategic importance, including the Kenyan government, continue to benefit from bilateral programmes of military support and security sector reform.

The European Union (2018) statistics indicated grants from African Union Mission in Somalia (Amisom), funded by European Union (EU) and its partners, amounted to Sh1.45 billion in the July-December period against a budget goal of nearly Sh9.45 billion. The EU funds cater for allowances for the Amisom troops and police, international and local civilian staff salaries, operational costs of their offices, among others. In addition, multilateral initiatives such as the Global Counterterrorism Forum (GCTF), established in 2011, and its Horn of Africa Working Group under the leadership of the European Union and Turkey, have been working to bring coherence to civilian counterterrorism assistance efforts across the greater sub region.

## **2.7 Summary of the Chapter**

The literature review has illustrated the theoretical framework as informed by rational choice theory and the realism theory. In addition, the key concepts on Terrorism have been discussed from radicalization, globalization and technology. The trends in terrorism have been reviewed from a global perspective, regional perspective and local perspective. Further, the counterterrorism strategies have been reviewed from their impact of the counter terrorism strategies on security.

## **CHAPTER THREE**

### **RESEARCH METHODOLOGY**

#### **3.0 Introduction**

This chapter focuses on research methodology that was used in the study. It covers research design, study area, target population, sampling techniques and procedures, sample frame, data collection and research instruments, validity and reliability of research instruments, limitations of the study and ethical considerations.

#### **3.1 Study Area**

The study was conducted in Lamu and Mombasa Counties. Lamu County is located in the Northern Coast of Kenya and is one of the Six Coastal Counties in Kenya. It borders Tana River County in the southwest, Garissa County to the north, Republic of Somalia to the northeast and the Indian Ocean to the South. Mombasa County is situated in the south eastern part of the former Coast Province. It borders Kilifi County to the north, Kwale County to the south west and the Indian Ocean to the east. Lamu and Mombasa Counties were used in the study as they have been the most affected in the coastal region, prone to terrorist attacks and currently there is a large-scale counterterrorism operation being conducted.

#### **3.2 Research Design**

The study was limited to survey research design which was based on qualitative and quantitative research design. A survey questionnaire, Key informant interviews, desktop reviews and Focused Group Discussions with the Anti-terrorist unit commanders,

National Police Service, Human Right Groups, NGOs, Faith Based organizations, Islamic Scholars, interest groups, the National Government Representatives at the County among other stakeholders. Furthermore, exploratory research was used to guide the survey design and question building process and thus enabled the researcher to provide rich quality information useful to identify the main issues with regards to counterterrorism. Overall, the exploratory design consisted of the collection and analysis of qualitative data followed by the collection and analysis of quantitative data (Creswell, 2009). As observed by Creswell (2009), priority was given to the qualitative phase and the two methods were integrated at the interpretation phase of the study.

### **3.3 Target Population and Sampling Procedure**

The study targeted groups in Lamu and Mombasa County such National Police Service, Human Right Groups, NGOs, Faith Based organizations, Islamic Scholars, Anti-terrorist unit commanders, county commissioners and interest groups for key responses. Two respondents were selected in each category. The study used both probability and non-probability sampling method. Stratified random sampling technique was employed to draw respondents where a sampling frame was developed. The target population is as shown in Table 3.1.

**Table 3.1: Target Population**

<b>Category Population</b>	<b>Population</b>
National Police Service	10
Human Right Groups	5
NGOS	5
Faith Based Organizations	5
Islamic Scholars	2
Anti-Terrorist Unit Commanders	2
County Commissioners	2
Total	31

### **3.4 Sample Size**

Sampling is the process of selecting a number of individuals for a study to represent the larger group from which they are selected. A sample is a small representation or a subset of the entire population (Welman, 2015). The study adopted a census approach where the entire population was used as the sample size. This is also recommended when the sample size is small. Therefore, 10, National Police Service officers, 5 Human Right Groups, 5 NGOS representative's, 5 Faith Based Organizations, 2 Islamic Scholars, 2 Anti-Terrorist Unit Commanders and County Commissioners were used in the study.

### **3.5 Data Collection Instruments**

Quantitative and qualitative data was obtained using both primary and secondary sources. A semi structured survey questionnaire was used to obtain both qualitative and quantitative on the dynamism of the terrorism threat in Kenya. Qualitative data collection

also involved in depth interviews with the selected key informants and focused group discussions. Primary data collection involved the use of questionnaires, Key informant interviews and focused group discussions. Secondary data and information was sourced from police records, academic journals, books, policy briefs, government statistics and publications among other sources.

### **3.5.1 Questionnaires**

The questionnaire was both structured and semi structured which allowed collection of both qualitative and quantitative data. The questionnaires respondents included the Faith Based organizations, Human Right Groups, NGOs, Islamic Scholars, interest groups.

### **3.5.2 Key Informant Interviews**

A key informant was purposively selected based on their resourcefulness in different areas of this study. Key informants was purposively selected based on their position and role in the management of security affairs in Kenya. Key informant respondents included the security category of the anti-terrorist unit commanders, National Police Service. The key informant interview guide consisted of open ended questions to elicit responses. The reasons the above variables were chosen for this technique is related to the sensitivity of the information and fear of discussing the issue publicly by the interviewees. It was also considered necessary for the recollection of specific events that took place at known time and locations, if possible. This kind of selection enhances the ability of participants to validate the authenticity of the report presented. In order to encourage the interviewee to

have confidence and freedom to speak about their thoughts, free space and time was given to express their views about the variables.

### **3.5.3 Focused Group Discussions**

The study utilized the Focus Groups Discussions to gain an in-depth understanding of the issues under discussion, relating to the study's research questions. Focus group discussions were conducted on individuals drawn from the various security teams. Focused group discussion sessions consisted of groups such as Faith Based organizations, Human Right Groups, NGOs, Islamic Scholars, interest groups. The purpose of the focus group discussion was to obtain in-depth information on concepts, perceptions, and ideas. This technique has the strength of allowing the study participants to express their views rather than merely respond to researchers questions typical in questionnaires. A Focused Group Discussion Guide was utilized to collect qualitative data.

### **3.6 Data Collection Methods**

Because this study sought to generate a large amount of data from multiple sources, systematic organization of the data was a key factor to prevent the researcher from becoming overwhelmed by the amount of data and from losing sight of the original research purpose and questions. The researcher trained 2 research assistants in advance of field work, and conducted a pilot study with the research assistants in advance before moving into the field in order to remove obvious barriers and problems. The face to face interviews and the focus group discussions were organized with respondents at a convenient time and place so as to accord both the respondents and the interviewer the



opportunity to create rapport and facilitate the process of interviewing to be done in a conducive atmosphere. The questionnaires were administered by the principle researcher and one research assistant. Assurance on anonymity and confidentiality enhanced and increased the responses from the responses.

### **3.7 Data Analysis**

Data analysis is the process of transforming raw data into information that addresses the research objectives (Chambers & Skinner, 2013). Data were analyzed by use of descriptive statistics; through quantitative and qualitative techniques. Qualitative data were drawn from open-ended questions in the questionnaire, document analysis, interview guide and focus group discussions to present the findings. This involved a critical assessment of each response and examining it using thematic interpretation in accordance with the specific objectives of the study, which were then presented in narrative excerpts within the report. Quantitative data analysis was done using Statistical Package for Social Sciences (SPSS). Qualitative data was analyzed by descriptive and intuitive interpretation along key themes of the research. The results of this study was presented in a report incorporating tables, graphs, pie charts, explanatory texts and summary statistics to elucidate relationships among key variables.

### **3.8 Ethical Considerations**

In this study, participants' right to privacy was protected by ensuring confidentiality and guarantee that data collected would not be shared with unauthorized persons. Informed consent was obtained by visiting the participants at their various locations and explaining

to them the purpose of research. Researcher sought and obtained permission from relevant authorities which included a permit from the National Commission for Science Technology and Innovation (NACOSTI), Moi University. Lamu and Mombasa County Commissioners were informed before embarking on research.

### **3.9 Summary of the Chapter**

The chapter discussed the research methodology that was used in the study. It covered the research design, study area, target population, sampling techniques and procedures, sample frame, data collection and research instruments, validity and reliability of research instruments, limitations of the study and ethical considerations. The next chapter presents the findings of the study.

## **CHAPTER FOUR**

### **TERRORISM TRENDS IN KENYA AND ITS EFFECT ON NATIONAL SECURITY**

#### **4.1 Introduction**

This chapter provides findings and discussion on the objectives of this study, on the trend in terrorism, strategies adopted in countering terrorism and the effectiveness of the government anti-terrorism strategies on national security in Kenya. The chapter comprises secondary data, document analysis and primary data obtained from the field. The chapter first provides an overview of primary data on key aspects on terrorism; which then provides a background on the key themes that is further explored within the analysis and discussion.

#### **4.2 The Trend in Terrorism in Kenya**

Kenya has become a prime location for al-Shabaab radicalization and recruitment amid the terror group's rise in Somalia. As early as 2012, reports indicated that al-Shabaab was attracting a large number of Kenyan converts to Islam. By December 2014, it was estimated that Kenyans comprised around 25 percent of the terror group's ranks. Al-Shabaab has primarily recruited within Muslim communities along the Kenyan coast.

Al-Shabaab recruiters with links to both Kenya and Somalia pose a major security threat to Kenya. For example, well-known al-Shabaab militant Abdukadir Mohamed Abdukadir is a Kenyan national of Somali origin and an effective liaison between extremists in the two countries. Abdukadir, also known as Ikrima, is able to travel freely between the two countries and leverage his linguistic and cultural knowledge to radicalize young Kenyans and convince them to enlist with al-Shabaab (PeaceTech, 2018).

A report by PeaceTech (2018) found that increased economic opportunity was one of the primary reasons for conversion to Islam among the region's Christians. The report noted that east African Christians who convert to Islam are often more at risk of radicalization due to social isolation. This was focused on the area of Mombasa and found that the families and friends of Christian converts to Islam tend to break their ties, increasing the converts' isolation and susceptibility to recruitment.

Kenyan youth face economic, religious, and social coercion to convince them they have no alternative to joining extremist organizations, a Human Right Group representative in Mombasa, narrated. According to respondent, some youth convert to Islam for the promise of economic benefits or even just food. (PeaceTech, 2018).

The respondents were asked on the contributing factors being the as facilitators for the emergence of terrorist radicalization processes leading to terrorism. Table 4.1 presents the results on the push and pull factors.

Table 4.1: *Push and Pull Factors to Terrorism*

Frequency (N)= 25	Push Factors		
	Greater extent	Lesser extent	Not at all
Unemployment	68%	23%	9%
Fear of Victimization	36%	48%	16%
AMISOM	29%	44%	27%
Revenge	42%	31%	27%
Lack of Education	23%	52%	25%
Frequency (N)= 25	Pull Factors		
	Greater extent	Lesser extent	Not at all
Reputation (hero for defending country and religion)	83%	15%	2%
Mental Manipulation and Fighting Islam's Enemies	44%	53%	3%
Obtain Paradise	26%	41%	33%

The push factors act as consequences that push the youths to radicalization into terrorism. The results in Table 4.1 indicated that the greatest push factors for youth radicalization was unemployment at 68%. Other factors such as revenge had 42% and fear of victimization at 36%. The pull factors are those that the youths feel the need to fulfill. The greatest reason was reputation (hero for defending country and religion) at 83%, mental manipulation and fighting Islam's enemies at 44% and the obtaining paradise at 26%.

During an interview, these views were also expressed by National Police Service Officer who noted that:

*Although security apparatus has embraced surveillance, terrorists still seem to be ahead of our intelligence planning and execution. That is why we are still experiencing attacks. The techniques are poor due to some old and out-dated equipment. Security forces have therefore been more reactive (Interview with National Police Service Officer, 21st January, 2021 in Kisauni, Mombasa).*

In view of the foregoing, it is evident that terrorist attacks constitute a significant shift to surveillance. Although some viewed the failure to improve operations management and resource allocation by the government, Narayan (2014) notes that rapid advances in science today ensure that technology contributes considerably to more effective surveillance and additionally plays a predictive role.

According to the Bureau of Counterterrorism (2020), Kenya has been a frequent target of terrorist attacks. The group has over the years taken on many faces, predominantly from its Somali nationalist roots. The largest, most high-profile attack occurred in 1998 when al-Qaeda operatives bombed the U.S. embassy in Nairobi, killing more than 220 people. In recent years, the Somali-based al-Shabaab has perpetrated two largescale attacks in Kenya: the September 2013 siege of Nairobi's Westgate shopping mall that left 67 people dead, and the April 2015 attack on Garissa University in northeastern Kenya in which militants killed 148 people. In 2019, the DusitD2 complex was also attacked. The Somali terror group has increased attacks in Kenya in order to dissuade the country from sending its military to help stabilize neighboring Somalia (Mogire, Mkutu, & Alusa, 2017).

Since Kenya's intervention in Somalia, the country was attacked severally. On September 21, 2013, militants linked to al-Shabaab carried out attacks on the Westgate shopping mall in Kenya. The attack lasted four days with the number of those killed reaching 67 and several people wounded (Nzes, 2014). The attack was a retribution for the continued presence of Kenya's Defence Forces (KDF) in Somalia. The Westgate mall was a target of choice because it had international significance and more so, it is partially owned by Israelis (Blanchard, 2013). However, their lethal terror attack in Kenya was the Garissa University attack because of the number of casualties of around 147 and injuring 76 (Mukinda & Mutambo, 2015).

Somalia has become a haven for terrorists for the last decade because the absence of the regulatory, legal, physical, intelligence and other infrastructure needed to undertake effective counter-terrorism measures are lacking; the ease with which terrorists can move through unmonitored airports and across unguarded borders and coastlines; and the political and economic disenfranchisement of large segments of the population. This makes Somalia the venue of choice for illicit networks which operate in minerals, arms, narcotics, money laundering or terror attacks.

Kenyan counterterrorism efforts, supported by generous Western assistance, have been at best ineffective and at worst counterproductive. There are strong structural foundations for radicalization in Kenya and Somalia. Radicalization has continued to spread building both on the economic decline, violent conflicts and lack of strong and legitimate states. The militant Al-Shabaab movement has built a cross-border presence and a clandestine

support network among Muslim populations in the north east and Nairobi and on the coast, and is trying to radicalize and recruit youth from these communities, often capitalizing on long-standing grievances against the central state.

Porous borders represent a major challenge to ensuring security and stability for national governments in East Africa and the Horn of Africa at large. The presence of the state security apparatus is marginal in many border areas, which reflects a general inability of the governments to enforce order within each county's territorial boundary. This allows for free movement of people and illicit trade across borders. This is particularly true in the case of the Kenya-Somalia border, which has not only allowed the movement of refugees fleeing the conflict in Somalia but also allows movement of terrorist and easy flow of illegal weapons. In addition, Mativo (2017) asserts that along the borderlines, there are few urban centres that are far apart and inaccessible. The rest of the expansive land is only ventured into by pastoralists who graze their livestock and cross their border at the dictate of weather patterns and not immigration controls. Although measures and security have been beefed up in Nairobi and across Kenya's borders, cases of grenade attacks and hostage taking and demanding ransom have been on the increase.

#### **4.3 Strategies Adopted in Countering Terrorism in Kenya**

The Terror attacks in Kenya have renewed efforts to examine Kenya's counterterrorist strategies aimed at preserving the national security of Kenya, predicting and preventing future attacks. Kenya is an active actor in countering both transnational and domestic terror threats from the Al-Qaeda affiliated network in Somalia, the al-Shabaab. Kenya



experienced a shift from a somewhat restrained counterterrorist policy to proactive engagement in the war on terror.

Kenya launched its National Strategy to Combat Violent Extremism in September 2016. The plan would pool resources from government, civil society, and the private sector in support of counterterrorism efforts, and would emphasize de-radicalization over military tactics. The effort is headed by Kenya National Counter Terrorism Center (NCTC) director Martin Kimani. Three county governments namely Lamu, Kwale, and Mombasa have established their own countering violent extremism strategies as well.

In March 2017, Kenya announced it had formed a committee to spearhead efforts to prevent and counter violent extremism. The group is reported to include all principle secretaries and the Inspector General of Police. A government spokesman termed the effort a “cross-cutting, multi-agency national campaign” and said it would include “preventative, mitigation, and rehabilitative measures” to complement ongoing counterterrorism efforts. The committee operates under the country’s countering violent extremism strategy announced in September 2016. In 2018, the NCTC began work with Kenya’s Ministry of Education on a school program on countering violent extremism.

In 2018, Kenyan security experts noted that Kenya’s military strategy had led to a general decrease in al-Shabaab’s violent activities but there had been a simultaneous increase in online radicalization. In September 2018, the Centre for Human Rights and Policy Studies (CHRIPS) and the Institute of Development Studies jointly launched the Countering Violent Extremism Research Hub, an online library to support countering

violent extremism research. The government-funded resource tracks extremist incidents in Kenya and details active countering violent extremism programming.

The respondents were asked to rate their level of agreement on the approaches adopted by the Kenya Government in engaging with specific groups to enhance collaboration as a strategy to counter terrorist radicalization. The results are as shown in Table 4.2.

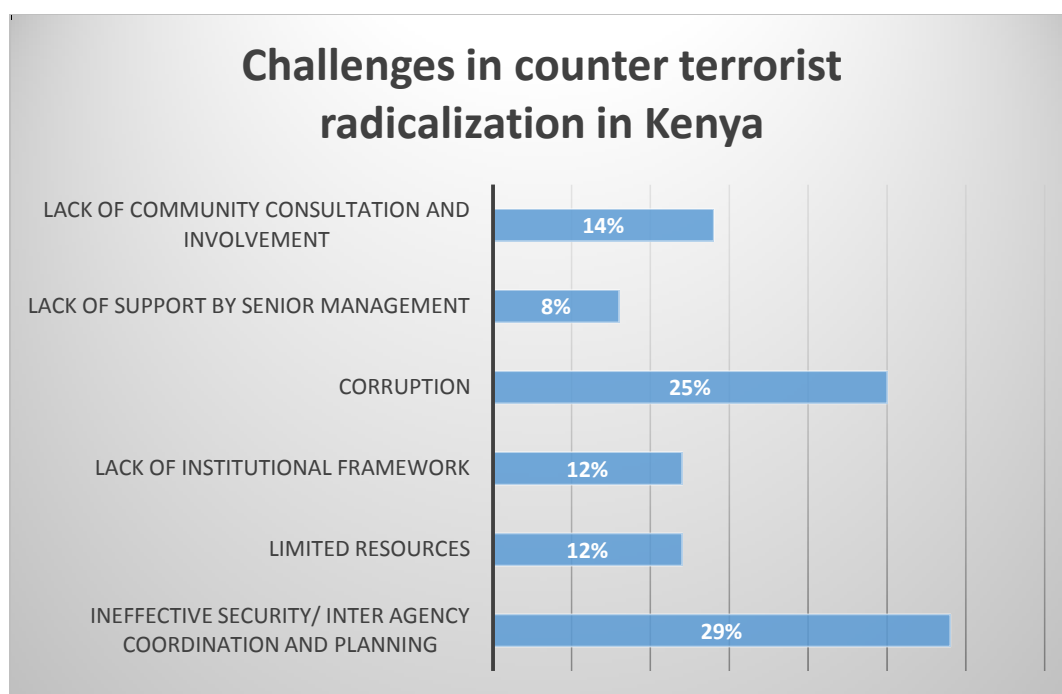
**Table 4.2: *Specific Groups Level of Engagement***

Frequency (N)= 25	Level of Engagement to Counter Terrorist Radicalization		
	Specific Groups	Satisfactory	Fair
Youth	17%	25%	58%
Women	46%	31%	23%
Community policing	44%	34%	22%
Civil society	57%	24%	19%
NGOs	46%	25%	29%
Media	68%	24%	8%

The results on the specific groups' level of engagement to counter terrorist radicalization indicated that the youth were not satisfactory at 58%, women satisfactory at 46%, community policing satisfactory at 44%, civil society satisfactory at 57%. The NGOs were not satisfactory at 46% while the media not satisfactory at 68%. This implied that youths felt that they were not engaged enough on countering radicalization in the coastal

region. However, women, community policing members, civil society, NGOs and the media were satisfactorily engaged in the radicalization efforts. The findings may prove to be in contrast of the counter radicalization efforts since the most affected persons were the youths yet they were the most engaged in counter radicalization.

The respondents were asked on the key challenges that evident in an effort to implementing effective ways to counter terrorist radicalization in Kenya. The results are indicated in Figure 4.1



**Figure 4.1: Challenges in Counter Terrorist Radicalization in Kenya**

The results indicate that ineffective security/ inter agency coordination and planning was rated at 29%, corruption at 25%, lack of community consultation and involvement at 14%, limited resources and lack of institutional framework both at 12% while the least

was 8%. From the findings, it is apparent that stakeholders were not properly involved in developing counterterrorism strategies. This is in contradiction to the Ransley (2009) report that recommended that for acceptability, any policy change in the police should involve officers of all cadres. In an interview, National Police Service Officer stated that:

*It is not possible to involve all officers in the process. Policy makers collect views from few officers and other stakeholders in coming up with these strategies. This means that everyone is represented in one way or the other (Interview with Police Officer A6, 19th October, 2018 in Mpeketoni).*

While the Kenyan Government had previously supported the militias fighting in Somalia against Al-Shabaab, Linda Nchi was a full-scale military intervention aimed at creating a buffer zone along Kenya's border, prizing Al-Shabaab from its control of the economically important Somali port city of Kismayo, and, ultimately, at eradicating the group. The coastal region has felt the blowback from this intervention, witnessing the complex entanglement of multiple conflict drivers and a heavy-handed security response from the state as terrorist's threat continues to grow each day.

The foregoing only adds to other peoples view that indeed terrorists pose a threat to peace and security in Lamu. During Focus Group Discussion, Religious Leader asserted that:

The threat posed by *Al-Shabaab* in Lamu is bigger than what most people believe. This is because they are recruiting locals and having their factions in Lamu, for instance *Jaysh Ayman* and *Al-Hijra*. *Jaysh Ayman* is known to have been carrying out attacks in Lamu County. *Al-Hijra* on the other hand has turned its attention to attacks within the county and creating propaganda in Swahili directed at Kenyan Muslims thereby playing on 'the many disadvantages faced by Muslims, and on their history of political alienation and exclusion in Kenya, seeking to harness their longstanding disaffection and dissent. The problem is that their message is resonating well with the Muslims thus winning more converts. If not checked, this trend may get out of hand (FGD with Religious Leaders, January, 2021 in Lamu).

Indeed, Saferworld (2016) explains that in places where Muslim population is concentrated, social services have historically been weaker than elsewhere in the country. Muslims in these places typically express frustrations emerging from lack of job opportunities and a sense of exclusion from the mainstream political economy. Male youth are especially disaffected, a factor identified as important for Al-Shabaab recruitment. Where economic deprivation is most extreme, as in the towns close to the Somalia border where large refugee communities have congregated, recruitment is often linked to the provision of some kind of social service and mostly religion which Al-Shabaab has used successfully to rally Muslims to terrorism.

During the interview, respondents indicated that there are many underlying issues that should be addressed by the Government of Kenya if at all they need to win the war against terrorists. At the moment, the terrorists are taking advantage of these issues to win sympathy from the locals, who now feel that the terrorists are fighting for their course. Indeed, during FGD, most respondents indicated that they feel safe with terrorist elements in their midst than security personnel. The issues are mainly socio-economic and political factors. During Focus Group Discussion, Elder B9 stated that:

Terrorists attack is routine. Even the government knows. Many attacks happen but are not reported. The government is taking advantage of the remoteness of Lamu County. Just last week, one security officer was killed in Basuba while two sustained serious injuries when they were ambushed by Al-Shabaab. Many security personnel are losing their lives. These attacks are far from over, as long as the security personnel continue to torture and kill innocent locals! The civilian are getting justice from terrorists (FGD with Elders, January, 2021 in Lamu).

However, some officers disagreed with that assertion whereby National Police Service Officer stated that:

*We are never involved at all. These strategies are made in Nairobi and brought to us here. (Interview with National Police Service Officer, January, 2021 in Lamu)*

In FGD with Council of Elders and religious leaders, they too maintained that nobody has ever asked for their opinion on what counterterrorism strategy can best work in the coastal region. They have also never been invited in any meeting to discuss counterterrorism strategies. From the foregoing, it is clear that only a representative of officers and locals are involved in the process. The National Police Service should develop a framework of enlightening various stakeholders and even creating awareness on the same to inculcate ownership of strategy and operation.

#### **4.3.1 Kenya Counterterrorism Responses**

Kenya counterterrorism responses range from military, intelligence and law enforcement, financial controls, economic, diplomacy and information sharing. Kenya has made strides in incorporating diverse measures to counter terrorism; its mixed approach now encompasses both military and nonmilitary approaches. Kenya's fight against terror involves the use of the National Intelligence Service for surveillance, the General Service Unit to deal with civil rebellion and the Anti-Terror Police Unit to fast track counter terror responses. Irrespective of the progress and efforts, Kenya has come under criticism on its combative and deterrence approaches in the fight against terrorism (Kirechu, 2016).

In a bid to address the threat of terrorism, its approaches have been labelled as controversial, with reported cases of a host of abuses including arbitrary arrests religious profiling, random acts of disappearances and killings (Human Rights Watch, 2016; Namwaya, 2017).

In an interview, National Police Service Officer stated that:

*Counterterrorism strategies exist and are useful to our operation in Mombasa County. Without these strategies, we cannot achieve any meaningful progress in the fight against Al-Shabaab (Interview with National Police Service Officer, January, 2021 in Kisauni Mombasa).*

From the foregoing, it is apparent that before any counterterrorism operation is mounted, there must be well thought strategies. As reiterated by Wilkinson (2016), the prevention of terrorism across the globe requires robust and well-crafted counterterrorism strategies accepted by all relevant players. No single state can prevent or combat any form of terrorism without some form of counterterrorism strategies and co-operation.

In one of the interviews, National Police Service Officer noted that:

*Regular contacts between Al-Shabaab and security personnel continue to portray Lamu as insecure county hampering economic activities, particularly tourism given that Lamu has been gazette as UNESCO World Heritage site. The government has however stepped up security through patrols, road blocks and security escorts to civilians, including few buses plying Lamu. Heritage and tourist sites have continued to be guarded since the abduction of tourists (Interview with National Police Service, January, 2021 in Lamu).*

The assertion disagrees with Saferworld (2016) analysis indicating that curfew and roadblocks have made mobility and nightlife around Lamu a nightmare. In view of the foregoing, it is evident that the strategies adopted by police to ensure protection of life and key installations have brought mixed reactions among locals.

According to Prestholdt (2017), intelligence officials have been accused numerous times of unlawfully detaining suspected terrorists for lengthy periods of time and torturing suspects in attempts to gain confessions and further intelligence. Local people thus see police and other security forces as a threat. As Religious Leader puts it:

Security forces arbitrary arrest and beat up locals in their houses and mosques. Last month, two young men were arrested. We have not heard from them since. It is like they were executed since they were not arraigned in court. Police treat every Muslims with suspicion. Instead of protecting us, they are arresting us without genuine reason (FGD with Religious Leaders, December, 2020 in Lamu).

In an encounter with National Police Service Officer, the following was revealed:

*Efforts to enhance cooperation with locals have been initiated but with little success. The locals do not provide information because a Muslim will not report a fellow Muslim. Muslims anywhere is bound by religion* (Interview with National Police Service Officer, December, 2020 in Mpeketoni).

Statements like these make it clear that security services have to do much to win the confidence of the locals in Lamu and Mombasa Counties. Security providers and users must communicate something that is currently lacking. Police must therefore change tact on the strategy to enhance cooperation with the locals, as well as intelligence sharing, which is an important element in prevention of terror activities. As stressed by Prestholdt (2017), coordination and cooperation is key.

#### **4.3.2 The Kenya-Somali Border Wall**

In early 2015, the Kenyan government announced the construction of a 700-kilometre-long wall along its border with Somalia, so as to put an end to the infiltration of al-Shabaab terrorists (Cannon, 2016). The government indicated that it would build a 708km wall made up of a series of concrete barriers, fences, ditches, and observation



posts overlooked by CCTV stations at a cost 3.4 billion Kenyan shillings. Under this plan, the wall was meant to stretch from the Indian Ocean all the way to the border region of Mandera, where Kenya and Somalia meet Ethiopia. In March 2016, both countries ultimately agreed to establish shared exit and entry ports along the border so as to better monitor those moving between the two countries. However, Kenya-Somali Border Wall stalled based on various reasons on budget, compensation and tension within the communities given that they are pastoralist who move regularly with their cattle (Cannon, 2016).

#### **4.3.3 Security Measures**

Since the April 2015 terrorist attack on Garissa University, Kenyan police have increased their presence in vulnerable areas including on college campuses. Kenya has also retaliated vigorously against al-Shabaab forces, sending fighter jets to bomb the terrorist group's camps in Somalia. Kenyan military spokesmen claim uncertainty about what effect, if any, the bombing campaign has achieved. While Kenyan authorities have expanded their campaign to stop violent extremists, the harsher aspects of its implementation have exacerbated historical conflicts between the Kenyan government and Kenyan Muslims. Kenya's sizable Muslim population has borne the brunt of these security measures. Some counterterrorism efforts have also enabled human rights abuses, including arbitrary detentions, extrajudicial killings, and torture by government security forces.

#### **4.3.4 Introduction of Anti-Terrorism Police Unit (ATPU)**

ATPU was created in 2003 as a specialized Kenya police unit to deal with issues of terrorism. The Anti - terrorism Police Unit (ATPU) is a unit within the Directorate of Criminal investigation mandated to mitigate and investigate terrorism related cases in the country. It was formed in the year 2003 as a unit based at the Police headquarters to investigate all Terrorism matters.

#### **4.3.5 The National Counter-Terrorism Center (NCTC)**

The government of Kenya established the National Counterterrorism Centre (NCTC) under the office of National Security and Intelligence Service (NSIS). This formed part of SSR in the intelligence organization to enable it to deal with emerging terrorist threats. The NCTC is required to provide timely and factual intelligence to assist in the fight against terrorism (Kegoro, 2017). It is involved in counterterrorism coordination at the national level. It is composed of the Ministry of Defence, the National Police Service, National Intelligence Service and, and Immigration and Customs. All these institutions are represented at the NCTC by staff seconded to it (Centre on Global Counterterrorism Cooperation and IGAD Security Sector Program, 2012).

National Counterterrorism Centre in its operation can liaise with other regional organizations endowed with the duties of counterterrorism to effectively fight terrorism. For example, the NCTC can liaise with the African Center for Study and Research on Terrorism (ACSRT) based in Algiers and the IGAD's Capacity Building Program against Terrorism (ICPAT) based in Djibouti. According to Okumu (2018), this alliance ensures

institutional capability to carry out feasibility studies on the establishment and expansion of regional and transnational crime database to enhance the sharing of information on criminal activities in East Africa and the African continent.

Through sharing of such vital information with other agencies involved in the fight against terrorism, there is a likelihood of effective responses and monitoring of the terrorist activities. This will improve the ability to foil terrorism operations before they happen. The NCTC also coordinates external reporting, for example, the annual report to the UN Security Council under Resolutions 1267 and 1373 (Centre on Global Counterterrorism Cooperation and IGAD Security Sector Program, 2012).

The NCTC has the responsibility to investigate money laundering, narcotics trafficking and the proliferation of small arms (Adan, 2015). The establishment of this institution has promoted timely dissemination of intelligence to a tactical unit charged with combating terrorism (Adan, 2005).

#### **4.3.6 Enactment of Legislations**

Terrorism legislation is meant to address the crime of terror and mitigate the risks that it poses. Legislation, therefore, should encompass measures that are both prophylactic and pre-emptive in nature because ordinary criminal justice system is not. These measures should define the crime of terrorism, describe the terror organization, tackle terrorist finances and property, and stipulate law enforcement powers (Mwazighe, 2012). In an effort for Kenya to provide a legal framework to deal with terrorism related issues, the

then minister of Justice and Constitutional Affairs on 30th April 2003 tabled the Suppression of Terrorism Bill 2003 (Kamau, 2016). This bill received a lot of criticism from the civil society, national politicians, religious leaders, the public, and the Muslim organization.

Because of the criticisms labelled against the bill, the government reviewed clauses that raised many concerns. A revised Anti-Terrorism Bill was presented to parliament in 2006, but it still received a lot of opposition from the civil society and the politicians with further accusations of being American government sponsored (Kamau, 2016). Therefore, it was shelved and the country remained with no specific legislation dealing with terrorism.

The lack of a legal framework to facilitate prosecution of terrorists was blamed for acquittal of various terror suspects in the country. For example, seven terrorist suspects arrested in November 2003 on charges related to the 2002 attacks along the coast and the 1998 attack on the US embassy in Nairobi, and a 2003 plot to attack the new US embassy were acquitted in June 2005 (US Department of State, 2005). According to the US Department of State Report (2005), this was blamed on the lack of counterterrorism legislation, as the laws of the country were insufficient in prosecuting terrorist suspects. The existing laws did not permit police to detain terrorist suspects and prosecute them effectively (US Department of State, 2016).

However, this changed due to the ever-increasing threat that the country was facing from Somalia based terrorist group al-Shabaab after the incursion of Kenyan troops in Somalia. This led to securitization of the threat of terrorism, which increased the need for counterterrorism legislation. The terrorist groups orchestrated attacks in different parts of the country as retribution for the intervention of the Kenyan Defence Forces in Somalia.

As a step to deal with this, the Prevention of Terrorism Act 2012 was introduced in parliament by the acting minister of state for provincial administration and internal security, Honourable Mohamed Yusuf Haji on 27th July 2012 (Mwazighe, 2012). According to Mwazighe (2012), the Bill addressed most concerns raised about the 2003 and 2006 bill. The bill was passed and assented to by the then president Mwai Kibaki on October 12th, 2012 and it became Prevention of Terrorist Act 2012 (Tiony, 2012). This, according to Tiony (2012) was to assist in addressing the institutional weakness that has plagued the judiciary in dealing with terrorists.

The Act provides for life imprisonment for persons or individuals that engage in terrorism activities that results in death of another. The life imprisonment, according to Mwazighe (2012) is explained by the fact that a terrorist is ready to die therefore imposing a death sentence would unnecessary grant them the status of martyr. This demonstrates the rationality of the state in responding to terrorist acts as they attempt to thwart some of their goals such dying a martyr by long imprisonment thus acting as a deterrence for others who are willing to engage in terrorism activities.

Articles 5, 6, 7, 8, 9 and 10 tackle the issue on individuals or persons that directly or indirectly or knowingly perpetrates terrorism through recruitment, funding, being a member, provides weapons or logistical support (such as housing a terrorist, provision of security intelligence) is liable to jail term of not exceeding 20 years. This was intended to curb the local support that terrorist have been receiving in carrying out their activities in the country.

Some locals play a facilitating role, such as the provision of forged documents such as marriage certificates, national identity cards (Adan, 2015). Therefore, security measures put in place can manage the current trend of locals being recruited into terrorist organization and mitigating the problem of local groups seeking affiliation to terrorist organizations such as the Muslim Youth Centre.

The Act also changed the incommunicado detention by the law enforcement officers. The Act stipulates that individuals suspected of terrorists' activities cannot be under police custody for more than 24 hours after their arrest (Article, 32, 1). Police also in carrying out the arrest are expected to do it under reasonable ground and their activities are subject to judicial oversight (Mwazighe, 2012). Under this act, all modes of punishment for offenses committed are by imprisonment, even no fine has been created as an alternative to imprisonment. The stiff sentences are intended to serve as deterrence.

Security reforms do not only entail reforming the statutory sectors, but also curbing the factors that perpetuate insecurity. It is in this effort that the cabinet approved the Crime and Money Laundering (Prevention) Bill of 2004. This provided law enforcement

agencies with capabilities to identify, trace, and freeze proceeds of crimes (Adan, 2015). This would deny terrorist the much-needed funds for recruitment and logistical purposes to conduct terror activities in the country, forcing them to operate under limited budget thus lowering pay offs.

In 2010, Parliament unanimously adopted the Prevention of Organized Crime Law to strengthen financial control. This law allowed the minister in charge of security to proscribe criminal groups, but subject to judicial review. The law criminalized various forms of, support for and participation in these groups. In addition, in October the same year, the government designated 33 groups as organized illegal gangs, including al-Shabaab, Mombasa Republican Council (MRC), Mungiki (Centre on Global Counterterrorism Cooperation and IGAD Security Sector Program, 2012, p. 8; US Department of State 2011). Article 15 (I) of the Act also allows the state to demand information from any financial institutions, trustee, and cash dealer or custodial on any business transaction conducted by or on behalf of persons involved in organized crimes.

The above law together with Proceeds of Crime and Anti-Money Laundering Act (POCAMLA) passed in 2010 provides the Kenyan National Assembly with an important opportunity to support executive action against terrorism and provide checks and balances. This was a comprehensive law to seal loopholes in the Prevention of Organized Crime. POCAMLA requires the bank to monitor and report money- laundering activities, creates an obligation of verifying customers' identity, establishing and monitoring of customer records and setting up internal suspicious transactions reporting procedures (Karanja, 2016).

The Suppression of Terrorism Act 2012 in combination with the 2009 Proceeds of Crime and Anti-Money Laundering Act and the 2010 Prevention of Organized Crime Act, has provided Kenyan prosecutors with a wide array of mechanisms to bring individuals and organizations to justice. These have further facilitated international cooperation and mutual legal assistance in terrorism cases in the country (US Department of State, 2016).

#### **4.3.7 The Security Law (Amendment) Bill, 2014**

Following Mandera attack on December 2, 2014 the government drafted the Security Laws (Amendment) Bill, 2014 in an effort to revise and update country's security legislations. The Bill was tabled in parliament by the chairman of Parliamentary Committee on National Security and Administration, Asman Kamama on December 11, 2014. The bill was geared at amending 21 laws of Kenya relating to national security. The laws that bill intended to amend include: Public Order Act (Cap 56), Extradition (continuous and foreign countries) Act (Cap 76), Penal Code (Cap 63), Criminal Procedure Code (Cap 75), Prevention of Terrorism Act (2012), Sexual Offenses Act (2006), Registration of Persons Act (Cap 107), Evidence Act (Cap 80), Prisons Act (Cap 90), Firearms Act (Cap 114), Radiation protection Act (Cap 243), Rent Restriction Act (Cap 296), Kenya Airport Authority Act (Cap 395), Traffic Act (Cap 403), Investment Promotion Act (Cap 485), Labour Institutions Act (2012), National Transport Safety Authority Act (2012), Refugee Act (2006), National Intelligence Service Act (2012), Kenya Citizenship and Immigration Act (2011), National Police Service Act (2011) and Civil Aviation Act (2013), Public Benefits Organizations Act, 2013 (KNCHR, 2015).



The Bill was introduced in parliament on 11th December, 2014 and on 18th December the Bill passed by the parliament amid chaos due to objection by the opposition parties. However, the following day the president assented to it making it a law (BBC, 2014). This bill received opposition from national leaders, opposition leaders, civil society, journalists and human right organization who demanded a review of the bill. The outcome of this opposition was court petition by the interested parties, which resulted in the suspension of seven Articles of the Act; Articles 12, 16, 20, 26, 34, 48 and 95 of the law (Agutu, 2015).

#### **4.3.8 Community Based Policing (Nyumba Kumi)**

Community policing according to Ruteere and Pommerolle (2003) is an ambiguous concept that acquires diverse meaning in the minds of different actors and different circumstances (p. 588). For example, the Nairobi Central Business District Association (NCBDA) adopted community policing as a way to deal with runaway crimes within the Nairobi business environs that threatened various businesses. On the other hand, the Kenya Human Rights Commission (KHRC) treats community policing as a way of curbing crimes and human rights abuses (Ruteere et al., 2003). More precisely the NCBDA deals with the delivery of goods while KHRC seek to solve mistrust between the society and the police force (Ruteere et al., 2003, p. 596). Despite the obscurity, the study focused on the broader approach that takes into consideration the NCBDA and KHRC perception of CBP.

Community Based Policing is both a philosophy (a way of thinking) and an organizational strategy (a way of carrying out the philosophy), that allows the police and the community to work together in new ways to solve problems of crime, disorder and safety issues to improve the quality of life for everyone in that community (Saferworld, 2008). This creates a mutual ownership of the security agenda by both the states and the communities (Holmer & van Deventer, 2014). According to the Republic of Kenya (2015), community policing is a ‘philosophy that promotes organizational strategies which support the systematic use of partnership between communities and government policing agencies, and problem-solving techniques to proactively address the immediate conditions that give rise to public safety issues as a crime, social disorder and fear of crime.

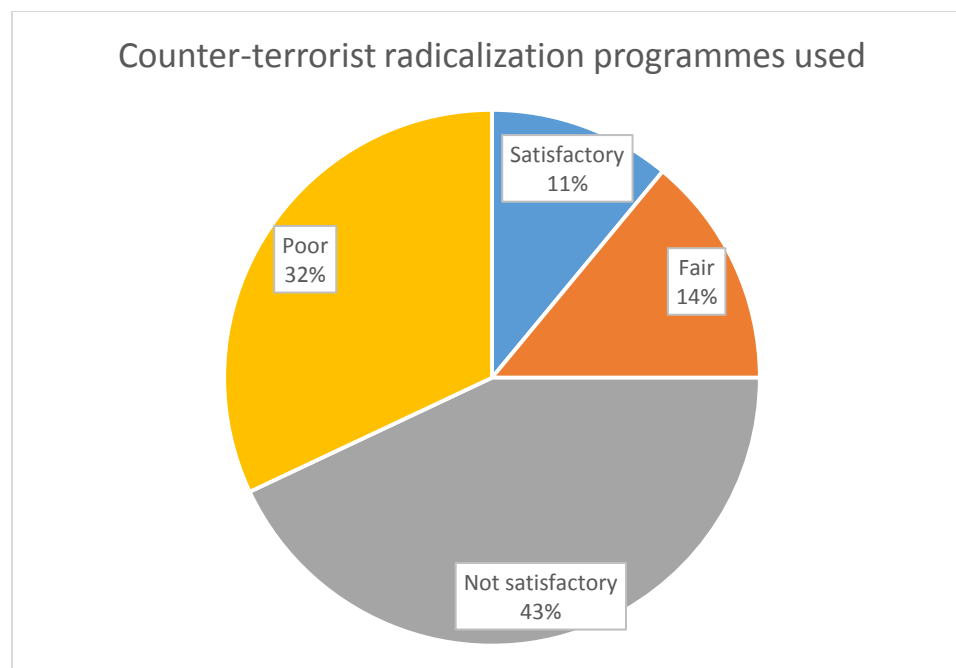
The program was implemented in partnership with the Office of the President, the Kenya Police, the Administration Police, and civil society. The pilot study was carried in two areas: Kibera, Isiolo, and some success were recorded with the improved relationship between the police and the communities to combat crimes (Saferworld 2018). Despite this, The Westgate Mall attack left the country feeling vulnerable to terrorist attacks. The manner in which the attack was planned and executed suggested some local support. In addition, the recent increase of the local population being the perpetrators of the terrorist activities has even given rise to the prospect that the real threat may not come from foreigners and foreign terrorist groups, but from home-grown organizations such as MYC (al-Hijra) and the local radicalized individuals. As things often unfold after attacks, it has become clear that the enemy resides amidst the local population; thus, requiring Kenyans to assist in the provision of information on suspects and this to some extent can only be

achieved through community policing. The paradigm shift from involving the foreigners to locals or both and the deconstruction of stereotypical sentiments of terrorism being equated with Islam has demanded a rethink on the national security and it is under this that the Kenyan government introduced Nyumba Kumi.

#### **4.4 Effectiveness of the Government Anti-Terrorism Strategies on National Security in Kenya**

The previous section discussed the various strategies adopted in countering terrorism in order to deal with terrorism threats to Kenya's national security. These strategies range from enactment of legislations, establishment of new security institutions and restructuring of existing security agencies. The strategies also involve regional and international cooperation in order to fight terrorism. In light of these strategies, this section assesses the effectiveness of these strategies.

The respondents were asked to state their level of agreement on the existence of counter-terrorist radicalization programmes in schools as a measure of managing terrorism and the results are depicted in Figure 4.2.



**Figure 4.2: Counter-Terrorist Radicalization Programmes**

The results indicated that the counter-terrorist radicalization programmes were rated as not satisfactory at 43% poor at 32% fair at 14%, and satisfactory at 11%. Counter-radicalisation and de-radicalisation programs are very pertinent for any state faced with growing terrorism threat. These programs are long time processes needing tact and patience. The recent indication of Kenya's madrasa teaching Arabic and the Wahhabi creed have existed to indicate that not much has been done. The perception has been that the government has not done much to deal with the problem of terrorist radicalisation in Coastal region. As indicated in a Focus Group Discussion, Religious Leader stated that:

*I have not seen any meaningful counter-radicalisation program in the ground. The government is not helping at all. Security agencies are only interested in carrying out raids and swoops which have made interfaith relations sour (FGD with Religious Leaders, December, 2020 in Mombasa)*

The respondents were asked on what strategy can be employed to deal with youth radicalization in terrorism in Kenya. The results are as shown in Figure 4.3.



**Figure 4.3: Strategies to Counter Youth Radicalization**

The results indicated that the strategies to counter youth radicalization were job opportunities at 51%, rehabilitation programs for young person sat 21%, tackling discrimination at 11%, effective criminal-justice action at 9% and school-based programs at 8%. Promoting socio-economic opportunities, including job opportunities, access to finance, access to education and health services among others, is important to prevent terrorism, violent extremism and youth radicalization in Kenya. This should be complemented by a labor-intensive growth model that generates rapid growth that is equitably distributed and generates employment for the poor and youth. This is vital to reduce the supply of labour to prosecute terrorist attacks and violent extremism.

In the wake of the various attacks and the perceived terrorist threats that Kenya has faced, terrorism is securitized and in the process of securitization major reforms in the security sector are always initiated that often have far-reaching implications on human rights. The implications are attributed to the manner in which they are instituted and implemented by the government. Thus, the governments faced with threats to national security may display tendencies of carrying out reforms that erode values of the open societies due to fears of terrorism. With the increasing threats of terrorism, the Kenyan government has stepped up its resolve to mitigate terrorism, but finds it hard balancing between liberty and security. This has seen counterterrorism measures degenerating into violation of human rights and security threats.

Respondents who indicated that the strategies are effective said this is because the attacks have not been as they were in previously. They said attacks have reduced considerably, an indication that the strategies are effective. On the other hand, respondents who indicated that the strategies are ineffective explained that most strategies are not working.

In an interview, Human Right Groups activist indicated that:

Counterterrorism strategies are not effective here. Residents have greatly complained about roadblocks that are erected. They don't want to be searched. They have said this is infringing on their rights. This has brought about blood between us. As a result, they have been hiding information from us since they view us as enemies. Raids, ambushes and patrols that we have been conducting are not bearing fruit because there are many Al-Shabaab sympathisers amidst locals who are giving out information to terrorists about any impending operation. They are observing our manoeuvres and alerting terrorists who plant IEDs on our paths. That is why they have blown so many security vehicles and APCs and killed many officers (Interview with Human Right Groups activist, January, 2021 in Lamu).

In view of the foregoing, Virta (2018) views trust and confidence towards the police as a precondition to community intelligence. It would be very difficult for the police to get community intelligence if people do not trust the police. Saferworld (2016) highlights the importance of high trust relationships between the public and the police for effective national security in the age of home-grown terrorism.

From the discussion, it is evident that the community is an important and integral part in any security plan. Their perception can greatly affect the implementation of any policy. Any break down on police-public relations can have serious consequences on policing. Therefore, there should be a concerted effort to deliberately win their hearts and mind before and during implementation of any strategy.

#### **4.4.1 Effectiveness of Legislations**

As noted in the previous chapters, the threats of terrorism prompted the Kenyan government to introduce different legislations in order to mitigate it. In Kenya, the legislations have had far-reaching implications in the fight against terrorism. The consequences have been raised by civil society, opposition leaders, religious leaders and human right groups. The allegations are always based on the transgression of human rights due to security agencies manipulation and excessive use of force, thus negating the very cause for which they are called upon, to protect citizens. The proceeding sub-topics examine the various legislations offering a critique of the same.

#### **4.4.2 The Suppression of Terrorism Bill 2003**

The Suppression of Terrorism Bill 2003 was introduced in 2003 by then the minister of justice and constitutional affairs and was supported by some government officials. This bill received a lot of criticism from human rights activists, civil society among others.

Section 3 (1) of the Suppression of Terrorism bill defines terrorism as ‘the use or threat of action designed to influence the Government or to intimidate the public or a section of the public; and made for the purpose of advancing a political, religious or ideological cause’. This definition was so vague that it encompassed virtually any act of political dissent to be acts of terrorism (Prestholt, 2011). On the same, Okumu (2008) argues that the broad and vague definition provided wide latitude for the government to abuse the proposed law. Mazrui (2007) adds that the definition encompassed a wide range of crimes that are currently covered by the country’s Penal Code, from robbery with violence to crimes of passion between lovers.

Flaws like these always affect the effectiveness of policy and make them open to abuse the concerned parties. Despite the importance of the definition of terrorism, the Bill failed to provide a clear and precise definition because only an offense that meets this definition falls under the strictures of the law (Local security expert, O.I., 2021). In a sense, the definition failed to establish the threshold of “terrorism” from a legal perspective (Mwazighe, 2012).



This has provided a challenge in dealing with terrorism as attempts directed to fighting the vice is often perceived to be infringing on liberal values. Article 12 (1) on the bill outlines that a person will be suspected of being a terrorist by merely wearing clothing similar to those worn by known terrorists affiliated to organizations such as al-Qa'eda (Okumu, 2008). Particularly clause 12, paragraph, the bill states:

*A person who, in a public place wears an item of clothing, or wears or carries or displays an article in such a way or in such circumstances as to arouse reasonable suspicion that he is a member or supporter of a declared terrorist organization is guilty of an offense. (The Suppression of Terrorism Bill, 2003, 30 April 30, 2003), Clause 12 (2))*

This legislation allowed police to arrest people who wore certain clothing. Nonetheless, this provision left the Muslim community vulnerable to police officers who could decide on the mode of dressing and anyone donning Muslim attire constituted support for a terrorist organization (Kamau, 2016). Such provision worked further in the alienation of the Muslim community in the fight against terrorism, yet their inclusion would have, and still remains important in the fight against terrorism. The Muslim community in the country has lamented the marginalization of their lot by various governments and such provision was promoting it. In Islamic religious and social practices, there is wearing of garbs similar to those of traditional Middle Easterners; thus, criminalization of dress code meant Islamization of terrorism.

After the rejection of the proposed legislation, the government through the support of the Law Society of Kenya in late 2005 produced a new draft, which was published in April 2006. This was also rejected despite addressing the many concerns that were raised concerning the 2003 Suppression of Terrorism Bill. With 2007 election approaching, the

incumbent government did not want to alienate a section of the electorate by anti-terrorism legislations (Whittaker, 2018) and in this case, the Muslim society, which perceived counterterrorism, measures to be targeting them. This drawback placed the government in a precarious position in the fight against terrorism. The lack of legislation fueled government's ineffectiveness in dealing with terrorism. Even though the Prevention Terrorism Bill 2006 provided a hallmark of dealing with terrorism and was more improved compared to the Suppression of Terrorism Bill 2003, still there were flaws that could be abused by any regime. The 2006 Bill attempted to define acts of terrorism and not defining terrorism (Mwazighe, 2012).

#### **4.4.3 Effectiveness of Security Laws (Amendment) Bill 2014**

The Kenyan government in an effort to revise and update the country's security legislations drafted the Security Laws (Amendment) Bill, 2014. The Bill was tabled in parliament by the chairperson of the Parliamentary Committee on National Security and Administration, Asman Kamama on December 11, 2014. This bill sought to amend 22 laws of Kenya concerned with matters of national security. However, it was plagued by condemnation from opposition parties, civil society, media houses, and the public. The Bill was a response to the increasing insecurity in Kenya. This bill was drafted in the wake of terrorist attack on a Nairobi bound bus from Mandera that resulted in 28 deaths mostly Christians. Because of this, pressure was mounted on the government to deal with the threat of terrorism.

The new Bill required journalists to obtain a police permit before investigating or publishing stories on domestic terrorism and security issues. It also stipulated that concerned people need police approval for publication and broadcasting of information

relating to terrorism investigation (BBC, 2014; Article 19, 2014). Section 75 of the Bill introduces Section 30 (F) to the Prevention Terrorism Act 2012, stating the punishment for acting against the above provision. The offences are punishable by a term of imprisonment not exceeding three years or to a fine of five million shillings, or both. The fines according KNCHR (2015) were punitive and not proportional to the limitation intended by the amendment. This was interpreted to be an attempt by the government to muzzle the media of which could further hamper access to information by the public. This according to a local journalist (O.I. 2021) was also seen as a plan by government to prevent criticism on the way they often handle terrorist incidences.

#### **4.4.4 Usalama Watch**

Even though the government has legitimate national security concerns, the policy responses and implementation raise concerns regarding the respect of human rights. With the increasing threats of terrorism to Kenya, the national security placed the Kenyan government and the refugees at the crosshairs. Following the Mombasa attacks on 23rd March on Likoni church and the Eastleigh explosion of 31st March, 2014, the government implemented operation ‘usalama watch’ (security watch) to flush out members of al-Shabaab allegedly living in Eastleigh (Yarnell & Thomas, 2014). Well intended was the program, but it was marred by allegations of human rights abuses, extortion, arbitrary arrests, detention, and unjustly and inextricably linked Somali refugees to terrorism, (Amnesty International, 2018).

During the operation, at least 4,000 people, most of them Somalis, were rounded up within weeks and held in Nairobi's Kasarani Stadium (later gazetted as a police station), as well as Pangani, Gigiri, and Kasarani police stations, and "screened" (Amnesty International, 2014). In addition, refugees from elsewhere (including Ethiopia and the Democratic Republic of Congo) as well as Kenyan citizens of Somali origin were caught up in this operation (Yarnell et al., 2014). In the police stations, it is alleged that they were held in deplorable conditions (Amnesty International, 2014).

There was also forced encampment of urban refugees to the gazetted refugee camps in the country. There were also allegations of forced expulsions of which, according to Amnesty International (2014), were mostly Somalis. These were conducted despite their contravention to national and international law regarding refugees. The operation was mostly carried out in Eastleigh, which is predominantly inhabited by the Muslim community; thus, giving a reflection that it targeted the Muslims despite it targeting all urban refugees.

#### **4.4.5 Effectiveness of Anti-Terrorism Police Unit (ATPU)**

The Anti-Terrorism Police Unit in fighting terrorism have been accused of various abuses such as: the use of excessive force during house raids; torture and ill-treatment of detainees; arbitrary detentions, including disappearances; and rendering terrorist suspects to countries where they faced a real risk of torture (Justice Initiative & Muslim for Human Rights, 2013).

The human rights abuses by the ATPU have led to increasing tense relations between the central government and the Muslim community (Bachmann et al., 2009; Justice Initiative & Muslim for Human Rights, 2013). This has eroded the trust of the Muslim community in the government. The violations of human rights in counterterrorism can be exploited by radical fundamentalist groups such as al-Qaeda and its affiliates as a platform for recruitment of terrorists (the Justice Initiative & Muslim for Human Rights, 2013). The tense relation has always been manifested through violent and peaceful demonstrations that are always carried in the wake of killings and disappearances of alleged ‘terrorist suspects’.

In managing the riots, it is alleged that the security agencies responded in a repressive manner by carrying out mass arrests and detentions (Justice Initiative & Muslim for Human Rights, 2013). Such responses further build distrust by the community on security agencies and erode credibility of the ATPU among the Muslim community therefore, becoming counterproductive in the fight against terrorism.

These responses target the Muslim community due to the fact that most of the operations are carried out mostly in Muslim dominated areas, therefore, further energizing the misconceptions that they are the target (Justice Initiative & Muslim for Human Rights, 2013). Also, during the demonstration against the killing of Sheikh Ibrahim Rogo, the Salvation Army Church was set ablaze in Majengo: Mombasa (Justice Initiative & Muslim for Human Rights, 2013).

The burning of churches can possibly plunge the country into a religious war marked by reprisals by each group. In this case, the ATPU was seen as protecting the government interest, which is Christian, dominated and at the same time being oppressive to the Muslim community. Because of this perception, rioters target churches as retribution whenever Muslims clerics are assassinated. For example, when Aboud Rogo's successor Ibrahim Rogo was assassinated on 3rd October 2013, radicalized youth burned down a church in Mombasa, two pastors were also killed by radicalized youth on 20th and 21st October 2013 in Mombasa and Kilifi respectively (International Crisis Group, 2014).

#### **4.4.6 Effectiveness of Community Based Policing (Nyumba Kumi)**

Community policing is a policing approach employed by the National Police Service. Community policing entails a shared public responsibility on crime. Community policing is generally described as emphasizing a conciliatory rather than coercive approach to policing. Crime is addressed by methods which include strategic partnerships with the police and the communities living around the area of jurisdiction. The program faced the challenge of lack of a national legal framework and guidelines on community policing, multiple complaints by the police and the communities being levelled against each other (Kawira, 2014). The lack of legal framework, however, was solved by the enactment of the National Police Service Act 2011.

The involvement of the local communities in the provision of security helped to demystify the concept that the fight against terrorism is the responsibility of the law enforcement agencies. This, according Nyumba Kumi official, is grounded in 'if you see, say; if you feel, say; and if you hear, say'. This places the community at the centre of

fighting insecurity as a whole. Moreover, in partnership with security agencies, it disrupts terrorist activities and attacks before they happen. This program would see the restructuring of the current village system under elder to ten household units. However, this does not mean ten households, but this is the basic level of security arrangement, which will ultimately form a foundation of national security (Republic of Kenya, 2015).

In the coastal region, Nyumba Kumi official (O.I., 2021) considers this program a proactive mechanism in dealing with insecurity and can go a long way in addressing the security blame games witnessed among security agencies after attacks. Blame games according to the Nyumba Kumi official (O.I., 2021), are mitigated through the minutes taken during the Nyumba Kumi meetings, therefore it is required to disclose the security agency or official that failed to act on the provided information.

#### **4.4.7 Counterterrorism Experiences and Challenges in Kenya**

The section discusses the counterterrorism experiences and challenges in Kenya. They include lawless Somalia and porous border, Islamic fundamentalism and radicalization and poor interagency coordination.

##### *4.4.7.1 Lawless Somalia and Porous Border*

When the government of Somalia collapsed in 1991, it created a lawless society where crime and radical ideologies flourished. This led to an influx of refugees triggered by violent conflicts in their home countries with a desire to find a safe haven. The Somali refugees have fled to Kenya in significant numbers since the early 1990s. By September

2011, more than 500,000 Somali refugees were in Kenya, mostly in Dadaab camp. A large number of undocumented refugees have also moved to Nairobi and other urban areas presenting significant security challenges as well (Agbiboa, 2013).

Without a proper government that can take control of the country, Somalia continues to play a direct role in the security deficiencies of Kenya. For one, Somalia's geographic location gives it the longest coastline in Africa and makes it the closest African country to the Middle East. This allows Somalia to act as a transit hub in bringing illicit items into Kenya. Most notably, the perpetrators of the 2002 Mombasa attacks transited from Somalia and smuggled weapons into Kenya through the shared border (Agbiboa, 2013).

Lack of border security, for instance, allowed the fugitive Fazul Abdullah Mohammed to transit between East African countries. Fazul was eventually killed in 2011 after exchanging gunfire with Somali forces. The invasion of Somalia by the Kenya Defense Forces (KDF) re amplified an already shaky relationship between Muslims in the Horn of Africa and the Kenyan government. This offensive into Somalia, known as Operation Linda Nchi has been used as the basis for nearly all of the transnational violence directed at Kenya since the offensive began in October 2011. In fact, Al-Shabaab and its sympathizers have conducted more than sixty separate grenade attacks in Kenya, believed to be in retaliation for Operation Linda Nchi and more widely, the foreign policy of Kenya (Macharia, 2014).



#### *4.4.7.2 Islamic Fundamentalism and Radicalization*

The Islamic fundamentalist is a major challenge in counterterrorism. Much of the international terrorism threat in Kenya is based on Islam. Much of the radical Islam originates from Somalia and due to the lack of border security, makes its way into Kenya. There are certainly a number of Kenyan born radical Imams who preach anti-Western and anti-Kenyan views (Rink & Sharma, 2018).

Kenya may have a presence of both radicalized terrorists and theologically conservative Muslims. However, the former is made up almost entirely of foreign nationals and the latter consists of Swahili Muslims the same group that has consistently been treated as terrorists by the government. The Swahili Muslim community is assumed to be far more radicalized than current information suggests. As a target of antiterrorism legislation and actions by the Kenyan government, one would surely expect a deep hatred for the political system and the West (Rosenau, 2015). This hatred undeniably exists to some extent. It has created a coastal society that feels as if it is second class to the rest.

#### *4.4.7.3 Poor Interagency Coordination*

Good interagency cooperation and coordination are crucial elements in combating terrorism, especially transnational terrorism. Effective interagency cooperation depends on the timely and accurate sharing of intelligence and information, and requires a reliable means of communication. Most states have a variety of communication facilities available to their different agencies involved in counterterrorism measures, but these are often discordant.

Mwangi (2017), states that Kenya's counterterrorism operational effectiveness is hampered by poor intra-agency and interagency coordination, a lack of command and control of some terrorist incidents, and the politicization of terrorist incidents. A number of the security lapses that have occurred in Kenya can be attributed to a lack of effective collaboration, coordination and cooperation between the different national security organs. The APS and KPS, as agencies of the NPS, conduct their operations almost independently of each other and not as anticipated by the Constitution. Consequently, the NPS is unable to work in a coherent and coordinated manner, hence creating serious shortcomings that pose a challenge to the country's security. The lack of collaboration, coordination and cooperation also extends to the KDF and the NIS.

Ochieng' (2019) notes some of the challenges that intelligence organization faces such as politicization of intelligence; lack of capacity such as qualified personnel, ability to analyse and disseminate the correct intelligence and the changing dynamics of threat; over concentration on political intelligence at the expense of national threats; lack of integration with other security organs; lack of regional information sharing; lack of political goodwill because intelligence is perceived to be a tool of power that can be manipulated for politicians' interest; and inadequate funding.

#### **4.5 Summary of the Chapter**

This chapter has provided the findings and discussed on the objectives of this study that is; the trend in terrorism, strategies adopted in countering terrorism and the effectiveness of the government anti-terrorism strategies on national security in Kenya. The chapter has

also analyzed the secondary data, document analysis and primary data obtained from the field. In summary, the study found that the use of National Counter-Terrorism Center (NCTC), Community Based Policing (Nyumba Kumi), Usalama Watch and Anti-Terrorism Police Unit (ATPU) were the most suitable in countering terrorism respectively. The next chapter presents the final chapter of the study on the summary of the findings, conclusion and recommendations of the study.

## CHAPTER FIVE

### SUMMARY, CONCLUSION AND RECOMMENDATIONS

#### 5.1 Introduction

This part of the study provides summary of the findings, conclusion and recommendations of the study.

#### 5.2 Summary of the findings

This study set out to assess terrorism trends in Kenya and its effect on national security. The objectives of the study were to examine the trend in terrorism in Kenya, to determine the strategies adopted in countering terrorism in Kenya and to evaluate the effectiveness of the government anti-terrorism strategies on national security in Kenya.

##### 5.2.1 The Trend in Terrorism in Kenya

In relation to the trend in Terrorism in Kenya, findings revealed that terrorist attacks in Kenya more so in Coastal region still happens hence pose a threat to peace and security. The changing trend and nature of terrorism and its association with subjective activities has presented security challenges. The study observes that terrorism remains a potential threat to the Kenyan national security and stability of the entire region. The results indicated that the greatest push factors for youth radicalization was unemployment at 68%. Other factors such as revenge had 42% and fear of victimization at 36%. On the pull factors, the greatest reason was reputation (hero for defending country and religion) at 83%, mental manipulation and fighting Islam's enemies at 44% and the obtaining paradise at 26%. Kenyan youth face economic, religious, and social coercion to convince

them they have no alternative to joining extremist organizations. Families and friends of Christian converts to Islam tend to break their ties, increasing the converts' isolation and susceptibility to recruitment.

### **5.2.2 Strategies Adopted in Countering Terrorism in Kenya**

The key strategies adopted in countering terrorism in Kenya are the counterterrorism responses through intelligence, Anti-Terrorism Police Unit (ATPU), The National Counter-Terrorism Center (NCTC), Legislations, Community Based Policing (Nyumba Kumi), The Kenya-Somali Border Wall and Security Measures. Despite the stakeholders being in agreement that counterterrorism strategies exist in the service, they are hardly involved in developing these strategies, a situation that has made them not embrace these strategies fully. It is also revealed that they are not sufficiently inducted on these strategies, a situation that paints a grave picture on their preparedness to manage terrorism. The results indicate that ineffective security/ inter agency coordination and planning was rated at 29%, corruption at 25%, lack of community consultation and involvement at 14%, limited resources and lack of institutional framework both at 12% while the least was 8%.

Furthermore, findings also reveal that most of them perceive counterterrorism strategies as ineffective, and counterterrorism operation as being poorly conducted. Empirical findings show that the National Police Service has not fully involved its rank and file as well as other stakeholders in counterterrorism, a situation that has seen resentment and dissatisfaction with the operation as terror attacks still happens.

Counterterrorism capabilities in Kenya, in particular intelligence sharing, have improved significantly. However, the effect of these improvements has been mitigated by a deteriorating political and security situation in Somalia. Severe tensions between in Somalia have hampered cooperation in tackling al-Shabab, and delayed implementation of security strategies agreed with international partners.

### **5.2.3 Effectiveness of the Anti-Terrorism Strategies on National Security in Kenya**

The results indicated that the strategies to counter youth radicalization were job opportunities at 51%, rehabilitation programs for young person sat 21%, tackling discrimination at 11%, effective criminal-justice action at 9% and school-based programs at 8%. Promoting socio-economic opportunities, including job opportunities, access to finance, access to education and health services, is important to prevent terrorism, violent extremism and youth radicalization in Kenya.

The study also analysed the various Anti-Terrorism Strategies that the Kenyan government has put in place to curb terrorism. These ranged from security agency's reforms to enactment of new legislations and regional and international cooperation. The Kenyan government instituted specialized antiterrorism police the (Anti-Terrorism Police Unit) within the Kenya police to deal with terrorist activities. The government also created the National Counter Terrorism Center to provide timely and factual intelligence to assist in the fight against terrorism. The enactment of various legislations laid down the general reforms within the Kenyan security. However, it is the 2010, Kenyan

constitution that provided extensive legal platform for extensive reforms in the Kenyan security sector. Through various acts of parliament, reforms were initiated within the security agencies through vetting and the provision of public oversight of the Kenyan police. These strategies have improved the security agencies; this despite the current challenges it faces in dealing with terrorism. The reforms have also taken regional and international cooperation due to the international nature of terrorism.

However, it also emerged that specialized antiterrorism police unit bore the largest brand of accusation of abuse of human rights in Kenya. This is through its counterterrorism measures in the wake of terror attacks. A part from the security institution, government policies such as ‘usalama watch’ and crack down on terrorists on perceived terrorist breeding grounds equally received criticism. This was seen as working against government interest of ensuring national security. The government’s approach of targeting certain communities, particularly the Somalis, pushed some individuals to join extremist groups due to collective punishment. This was made possible since terrorist groups such as al-Shabaab are keen to exploit on this to get recruits. Therefore, the government effort should be seen as targeting the criminals and not all of the community.

### **5.3 Conclusion**

Based on the findings, the study concludes that trend of terrorism in Kenya has become more dynamic and that the greatest push factors for youth radicalization was unemployment. The trend in terrorism is fueled by poverty and inequality which manifest in unemployment and lack of job opportunities.

The study further finds that the counterterrorism strategies employed are ineffective and counterterrorism operations are poorly handled. The fight against terrorism must involve all stakeholders for acceptability and ownership. Counterterrorism strategies must also take into account and address the prevailing circumstances and conditions on the ground such as marginalization and socioeconomic factors for them to succeed. The results reveal that the challenges in implementing counterterrorism strategies are numerous and varied. Whereas some are social, others are economic and political. Therefore, the key to effective counterterrorism lies on first addressing these challenges that have remained key impediment in implementing counterterrorism strategies.

The overall conclusion is that as terrorism and terror acts evolve, so must counterterrorism strategies evolve too, taking into account the prevailing circumstances and dynamics on the ground such as socio-economic and political factors, technology, propaganda and general environment. It is then that the war on terrorism will be practically won.

#### **5.4 Recommendations**

Much more attention has to be paid to the youth by increasing opportunities for education, employment and political participation. The youth need to be able to engage productively in a politics that builds unity, is based on common values and holds out the real prospect of change by democratic means if the extremist ideologies are to be starved of new recruits. Youth leadership exchange programmes should be promoted by



international partners as well as regionally. Self-evidently more support is needed for the organisations working in the slums and informal settlements on education, youth activities, vocational training as well employment.

More serious anti-corruption efforts are needed across the board. As long as corruption remains rampant, there will be no end to the insecurity in the country and wider region. The international community should focus more seriously on regional anti-corruption efforts and move from rhetoric to serious action. Training in anti-corruption and good governance, collaborative efforts, zero-tolerance for corruption by the international community and business, and strengthening institutional and professional ethics and the citizens' oversight role are needed. The focus needs to be not just on legislative or institutional structures but also on comprehensive change to the culture of impunity and to the attitudes of the youth, the next generation of leaders.

There should be a synergy between policing approaches and counterterrorism strategies. Policing approaches should be incorporated or married with counterterrorism strategies so as to enhance performance and efficacy given the findings have revealed that the approaches are more effective and acceptable than counterterrorism strategies.

Socio-economic and political marginalization of locals and ethnic discrimination against Muslim communities came out strongly as grievances of local communities. The government should ensure local perspectives are taken into account when considering counterterrorism strategies. Specifically, the strategies need to address the root causes of underdevelopment leading to marginalization of the coastal region. Another strategy

should be to develop a multi-sectoral policy framework that will foster economic development in the coastal region and provide a robust monitoring framework that will develop and track the achievement of key indicators and milestones of integrated economic development. Such a framework should include all sectors such as infrastructure development meant to construct road and rail network, ports and building educational institutions.

### **5.5 Recommendations for Further Studies**

Based on the findings, conclusions and recommendations, it is evident that there is need for further research in line with the following study's specific objectives and research questions:

- i. A study should be conducted on the role of the international community in counterterrorism. Counterterrorism strategies are effective when all stakeholders are involved. A number of research findings account for effective counterterrorism strategies through cooperation, engagement and empowerment. Further studies should explore the role of international community in counterterrorism.
- ii. Further, study can be conducted to show the costs of terrorism in Kenya from the economic, social and cultural perspectives.
- iii. A study on the policing approaches utilized in counterterrorism in other counties prone to terror attacks.
- iv. A study on the challenges in implementing counterterrorism strategies in the rest of Kenya.

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## APPENDICES

## APPENDIX 1: LETTER OF INTRODUCTION

**MOI UNIVERSITY***(ISO 9001:2015 CERTIFIED INSTITUTION)***THE SCHOOL OF ARTS AND SOCIAL SCIENCES****DEPARTMENT OF HISTORY POLITICAL SCIENCE & PUBLIC ADMINISTRATION**

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KENYA

26 January 2021

**TO WHOM IT MAY CONCERN****RE: MOHAMED ALI-SASS/PGDFP/008/18**

This is to confirm that Mohamed Ali-SASS/PGDFP/008/18 is a bonafide student of Moi University in the Department of History Political Science and Public Administration, School of Arts and Social Sciences. Mohamed is pursuing studies leading to degree of Master of Arts in Diplomacy and Foreign Policy. He has successfully presented his project proposal titled: **"The Effects of Terrorism Trends on National Security-Case of Kenya"** and is authorized to proceed to the field for research.

Any assistance that you give him in that regard will be highly appreciated.

Handwritten signature of Ken Oluoch in blue ink.

**PROF. KEN OLUOCH, PhD**  
**CHAIRMAN, DEPARTMENT OF HISTORY POLITICAL SCIENCE &**  
**PUBLIC ADMINISTRATION**

## APPENDIX II: QUESTIONNAIRE

### Questionnaires for Human Right Groups, NGOs, Faith Based organizations, Islamic Scholar

- 1) A number of contributing factors may be singled out as facilitators for the emergence of terrorist radicalization processes leading to terrorism. From your point of view, rate the push/pull factors listed with reference to terrorist radicalization in Kenya?

<b>Push Factors</b>			
	<b>Greater extent</b>	<b>Lesser extent</b>	<b>Not at all</b>
Unemployment			
Fear of Victimization			
AMISOM			
Revenge			
Lack of Education			
<b>Pull Factors</b>			
	<b>Greater extent</b>	<b>Lesser extent</b>	<b>Not at all</b>
Reputation (hero for defending country and religion)			
Mental Manipulation and Fighting Islam's Enemies			
Obtain Paradise			

- 2) State your agreement on the existence of counter-terrorist radicalization programmes in schools as a measure of managing terrorism?
- Satisfactory [ ]
  - Fair [ ]
  - Not satisfactory [ ]
  - Poor [ ]
- 3) In your opinion, do you think the Kenya government have adopted a strategic approach to engaging with specific groups to enhance collaboration as a strategy to counter terrorist radicalization? Please indicate your level of agreement or disagreement in the Table below. Use a cross(x) or tick in the most appropriate column.

	<b>Level of Engagement To Counter Terrorist Radicalization</b>		
	<b>Satisfactory</b>	<b>Fair</b>	<b>Not Satisfactory</b>
Youth			
Community policing			
Women			
Civil society			
NGOs			
Media			

- 4) In your opinion, what strategy do you think can be employed to deal with youth terrorist radicalization in countering terrorism in Kenya?
- Effective criminal-justice action
  - School-based programs

- c. Job opportunities
- d. Tackling discrimination
- e. Rehabilitation programs for young persons
- f. Other (specify).....

5) Select two key challenges that you think are evident in an effort to implementing effective ways to counter transnational terrorist radicalization in Kenya?

- a. Ineffective security/inter agency coordination and planning
- b. Limited resources
- c. Lack of institutional framework
- d. Corruption
- e. Lack of support by senior management
- f. Lack of community consultation and involvement
- g. Other
- h. (Specify).....

6) Suggest strategies you think could be explored further in Kenya to address specific underlying factors or identify potential terrorist radicalization indicators; and thus ensure safety and security of the citizens?

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**Interviews Questions for National Police Service and Anti-terrorist unit commanders**

1. What are the trends in terrorism in Kenya?

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2. In your view, what would you consider as the causes of terrorist radicalization profiles relating to terrorist activities?

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3. From your own opinion, what would you consider as are the recruiting strategies for terrorist radicalization in Kenya?

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4. In your opinion, why are youths vulnerable to recruitment in terrorist activities?

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5. A number of contributing factors may be singled out as facilitators for the emergence of terrorist radicalization processes leading to terrorism. From your point of view, what are the push/pull factors to terrorist radicalization in Kenya?

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6. What are the strategies adopted in countering terrorism in Kenya

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7. How effective are the government anti-terrorism strategies on national security in Kenya.....

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8. The intervention of Kenya Defense Forces (KDF) into Somalia as a counterterrorism strategy has had an effect in Kenya. To what extent do you think this has influenced terrorist radicalization?

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9. In your opinion, do you think Kenya has developed effective community-focused initiatives with a particular focus on preventing and countering violent extremism and radicalization that Lead to terrorism (VERLT)?

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**Focused Group Discussions (FDGs) for the Human Right Groups and Faith Based organizations**

1. In your opinion, why is Kenya vulnerable to terrorism? .....

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2. In your view, what would you consider as the causes of terrorist radicalization profiles relating to terrorist activities? .....

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3. From your own opinion, what would you consider as are the recruiting strategies for terrorist radicalization in Kenya

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What security gaps would you consider as common in the Kenya-Somalia in the coastal region?

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4. Do you see any linkages between border security threats and the problem of refugee camps and terrorist activities in Kenya?

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5. Kenya national security and stability have been destabilized by waves of terror attacks. In your opinion, to what extent do you think Kenya's military (KDF) intervention in Somalia has offered an effective counterterrorism strategy to assure security and safety?

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6. Suggest strategies you consider the government can employ in enhancing effective management of terrorism? .....

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**APPENDIX III: RESEARCH PERMIT (NACOSTI)**

 <b>REPUBLIC OF KENYA</b>	 <b>NATIONAL COMMISSION FOR SCIENCE, TECHNOLOGY &amp; INNOVATION</b>
Ref No: <b>813939</b>	Date of Issue: <b>22/April/2021</b>
<b>RESEARCH LICENSE</b>	
	
<b>This is to Certify that Mr.. mohamed Ali Mohamed of Moi University, has been licensed to conduct research in Nairobi on the topic: EVALUATION OF EFFECTIVENESS OF COUNTER-TERROR MEASURES TO NATIONAL SECURITY IN KENYA for the period ending : 22/April/2022.</b>	
License No: <b>NACOSTI/P/21/10132</b>	
<b>813939</b> Applicant Identification Number	 Director General <b>NATIONAL COMMISSION FOR SCIENCE, TECHNOLOGY &amp; INNOVATION</b>
	Verification QR Code 