



UNIVERSITY OF NAIROBI

INSTITUTE OF DIPLOMACY AND INTERNATIONAL STUDIES

MUIGA JAMES MURIITHI

R52/8302/2017

**THE ROLE OF STATE INTER-AGENCY COORDINATION IN
COUNTERING TERRORISM IN AFRICA:
A CASE STUDY OF KENYA**

SUPERVISOR: PROFESSOR MARIA NZOMO

**A THESIS SUBMITTED IN PARTIAL FULFILLMENT OF THE DEGREE
OF MASTER OF ARTS IN INTERNATIONAL CONFLICT
MANAGEMENT**

DECEMBER 2019

DECLARATION

I, James Muriithi Muiga, hereby declare that this research project is my original work and has not been presented for a degree in any other University.

JAMES MURIITHI MUIGA

SIGNATURE..... DATE.....

This Research Project has been submitted for examination with my approval as a University Supervisor:

PROFESSOR MARIA NZOMO

SIGNATURE..... DATE.....

DEDICATION

I wholly dedicate this research project to my Dad and hero, The Late Joel Muiga Kimwaki and my Mum and heroine, Mrs. Martha Karimi Muiga. You have sacrificed so much for me to reach this point. I am forever grateful to both of you for allowing me to step on your shoulders and achieve great heights.

ACKNOWLEDGEMENTS

I would like to acknowledge God for His Grace that saw me through my Masters' degree programme.

I also offer very special thanks to my best friend and dear wife Joy, and my three wonderful daughters; Jenny, Jessica, and Joanna for enduring the sporadic moments of physical and emotional absence while pursuing my Masters' degree.

I'd like to also offer gratitude to my project supervisor, Professor Maria Nzomo for her wise counsel and guidance throughout the lifetime this research project.

I'd like to also thank my dear friend Dennis Munene Mwaniki for his unwavering moral support, friendship, and motivation while carrying out this research.

ABSTRACT

In this study I explored the performance of counter-terrorism strategies in Africa as a whole and specifically in Kenya. The study further investigates the performance of inter-agency coordination in Kenya's counter-terrorism strategy. I sought to investigate the appropriate counter-terrorism strategies that are best deployed in Kenya, a country that is under a constant threat of terrorism. This study while based on the theory of realism accepts the hypotheses that the current mechanisms being applied by respective State security agencies in African States are not adequately countering terrorism, Inter-agency cooperation has not reached the desired levels to effectively counter terrorism in Kenya and that a coordinated and combined effort by both State agencies and Non-State actors will yield the desired results in the fight against terrorism.

The study used both quantitative and qualitative data collection techniques. I found out that while inter-agency coordination within the government has immensely improved, the current counter-terrorism efforts are all State-focused and there is little or no participation from the general public, yet terrorists hide and transit through neighbourhoods where members of the public reside.

I recommend that cheaper and more efficient strategies should be applied in addition to State-focused counter-terrorism strategies. The distance between the government and the public should be reduced when it comes to fighting terrorists to gain and public participation should be at the centre of countering terrorism. This would augment the programmes countering violent extremism that are currently at the forefront of fighting terrorism. Risk reduction mechanisms should be properly instituted and financing of terrorism combated to cut off terrorists from their source of financing. Information sharing and ensuring adaptability of counter-terrorism strategies are further recommendations made. I have recommended further research into the role that the public and other Non-State actors can play in the countering terrorism.

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LIST OF ABBREVIATIONS

PKK – Kurdistan Workers’ Party

PFLP – Popular Front for the Liberation of Palestine

ICC – International Criminal Court

9/11 – September 11, 2001 (Terrorist Attacks in the US on this date)

USA / US – United States of America

FBI – Federal Bureau of Investigation

CIA – Central Intelligence Agency

AQIM – Al-Qaeda in the Islamic Maghreb

DCI – Directorate of Criminal Investigations

UN – United Nations

UN-CTED – United Nations Counter-Terrorism Executive Committee Directorate

ODDP – Office of the Director of Public Prosecution

ATPU – Anti-Terrorism Police Unit

NCTC – (Kenya’s) National Counter-Terrorism Centre

NIS – National Intelligence Service

KDF – Kenya Defence Forces

FRC – Financial Reporting Centre

CT – Counter-Terrorism

UNOCT – United Nations Office of Counter-Terrorism

Interpol – International Criminal Police Organization

Mi-Lex - Military-to-Police Information Exchange Model

ISIS – Islamic State / Islamic State in Iraq and Syria (Also Dae'sh)

OAU – Organization of African Unity

AU – African Union

NCTC – National Counter Terrorism Centre

KDF – Kenya Defence Forces

AMISOM – Africa Union Mission in Somalia

FRC – Financial Reporting Centre

AML – Anti-Money Laundering

NEP –North Eastern Province of Kenya

MINUSMA - Multidimensional Integrated Stabilization Mission in Mali

HUMINT – Human Intelligence

SIGINT – Signals Intelligence

CVE – Countering Violent Extremism

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CHAPTER ONE: BACKGROUND TO THE STUDY

1.1. Background to the Study

Humans have always been social beings. With this comes the need for a social hierarchical organization, with a person or persons at the apex of this hierarchy, who is deemed as the leader of that particular society. Down through history, there have been various ways in which this hierarchy has been determined and instituted. Some societies have opted for monarchies, others have opted for democracies, others dictatorships; but whichever structure plays out in any given society, there have been groups of people that end up feeling alienated and, or aggrieved by those who are currently in power. Some have turned to extremist measures to air these grievances. The grievances will often have a political or religious undertone that will form the meat and bones of the ideology behind the grievances. The expression of these grievances can either be covert, resulting in structural violence, or at times they can be overt, leading to violent conflict in society.

In the modern world, terrorism is broadly defined as the intentional or premeditated application of overt violence to impose a socio-political objectives by intimidating bigger audience(s) beyond the immediate victims of the violent act.¹ Modern terrorism owes its origins to the “Reign of Terror” initiated by Maximillian Robespierre in 1793, subsequent to the French revolution.² Robespierre as one of the Leaders of the State oversaw the elimination of those who opposed the revolution. Afterwards he instituted a dictatorship in a bid to stabilize

¹ Walter Enders, *The Political Economy of Terrorism*, 2nd Edition, (Cambridge University Press, New York, 2012), Page 3-4

² Amy Zalman, Ph.D., *The History of Terrorism*, ThoughtCo., Updated May 18, 2018. Retrieved from <https://www.thoughtco.com/the-history-of-terrorism-3209374>, Accessed on March 23, 2019.

the country. To justify this extreme method as a necessary tool in the transition from a monarchy to a liberal democracy, Robespierre opined that it was important to “subdue by terror the enemies of liberty, and you will be right, as founders of the Republic.”³ This occurrence remains the first known case of modern ‘State-sponsored Terrorism’.

Several centuries later, there would, in the 1950s, arise a new form of terrorism instigated by non-state actors with ethno-nationalist and anti-colonial ideologies. This is the period that saw Zionist terror campaigns, the Irish revolution, and several uprisings in colonies of the British and the French. The Zionists and Irish used violence and terror to seek nationalist autonomy from the territories that they were part of at that time. In the 1970s, other groups that used terror in their quest for autonomy were the Kurdistan Workers’ Party (PKK), a Kurdish ethnic group living in the shared border between Iraq, Syria and Turkey. They used terrorist schemes to make known their objective of an independent Kurdish Government.⁴ In Sri Lanka, the Tamil minority ethnic groups embarked on the use of suicide bombings and other disastrous tactics to institute a war against the government of the day that was made up of the majority Sinhalese.

The rise of non-state terrorism underwent internationalization still in the 1970s. One of the most notable tactics that the terrorists used at that time was the hijacking of passenger airplanes. The most famous hijacking was the July 23, 1968 hijacking of an Israeli El-Al Airlines flight, by the Popular Front for the Liberation of Palestine (PLFP). This guerrilla group continued to use plane hijackings as a means of getting the world’s attention on their need to have an

³ Zalman, Amy, PhD., *The History of Terrorism*, ThoughtCo., May 18th, 2018. Retrieved from <https://www.thoughtco.com/the-history-of-history> Accessed on March 23rd, 2019.

⁴ Terrorism Research, *Terrorism in the 20th and 21st Century*, Retrieved from <https://www.terrorism-research.com/history/recent.php> Accessed on March 23rd, 2019.

independent Palestine, famously blowing up three hijacked planes in the Jordanian desert on September 12, 1970. The world had been introduced to the contemporary, highly theatrical and symbolic acts of violence as a means of making political grievances by organized non-State groups.⁵ The internationalization of terrorism also came into full display during the 1972 Munich Olympic games, when Israeli athletes were ambushed and killed by Black September, a Palestinian political group. Their aim was to negotiate the release of Palestinian political prisoners. At the end of the siege, eleven Israelis were dead. This event forever changed the method and manner in which such terrorist groups were handled, and counter-terrorism became a mainstay verb in national security related operations. Modern day terrorism cannot be discussed without mentioning groups like Al-Qaeda, Hamas, Al-Shabaab, Hezbollah, AQIM (Al-Qaeda in the Islamic Maghreb) among others.

Extremist political and/or religious ideologies have proliferated the internationalization of terrorism, since people inclined towards the same ideology would be inspired by the acts of their compatriots halfway round the world. This phenomenon meant that States had to come up with counter-terrorism measures aimed at deterring and neutralizing “glocalized”⁶ terrorist threats.

Majority of countries that have terrorism as a thorn in their flesh have looked inward and tasked their various state agencies to identify and neutralize terror threats, or arrest and prosecute thereby bringing terrorism suspects to justice. This is because every State has the right to selfishly pursue its national security and protection of its sovereign integrity. In the

⁵⁵ Amy Zalman, Ph.D., *The History of Terrorism*, ThoughtCo., Updated May 18, 2018. Retrieved from <https://www.thoughtco.com/the-history-of-terrorism-3209374>, Accessed on March 23, 2019.

⁶ Glocalized – this is a connotation derived from combining ‘global’ and ‘local’. In this context, it means that global incidents that are in turn changing the local security landscape, in this case, in Kenya.

aftermath of the September 11, 2001 (9/11) terrorist attacks on the World Trade Centre in New York, USA, the FBI and CIA would discover that they had with them pieces of a puzzle that if put together would have prevented the worst terrorist attack that the US and the world has ever witnessed in modern history.⁷

On the African continent, several countries have found themselves grappling with the threat of terrorism. Nigeria battles the Boko Haram Islamist radicals fighting to make Northern Nigeria an Islamic State. This group's growth begun circa 2010, fostered by bad governance, corruption, persistent economic hardship, and rising inequality.⁸ Since the uprising begun, the Nigerian authorities begun prosecution of Boko Haram suspects seven years later. When these trials begun, they were not focused on those who were carrying out the actual violent acts, but instead focused on suspects who provided material and non-violent support to the terrorist group.

Kenya has been dealing with a terrorist threat since 1998 when the US Embassy in Nairobi was bombed as part of a coordinated attack on the US embassies in Kenya and Tanzania. This attack was carried out by Osama bin Laden's Al-Qaeda terror operatives.⁹ Since this time, a new terrorist threat has emerged from neighbouring Somalia. An Al-Qaeda affiliated group known as Al-Shabaab was birthed after the Islamic Courts Union were thrown out of power towards the end of 2006. The more hardline militant members of the Islamic Courts Union

⁷ Max Roser, *Our World in Data, Terrorism*, January 2018.

⁸ Schultz, Heidi, *Nigeria's Boko Haram: Who Are They and What Do They Want?* National Geographic News, May 8, 2014. Retrieved from <https://news.nationalgeographic.com/news/2014/05/140507-boko-haram-nigeria-borno-state-maiduguri-mohammed-yusuf-abubakar-shekau-goodluck-jonathan-world/>, Accessed on March 24, 2019.

⁹ PBS Frontline, *FBI Executive Summary: Bombings of the Embassies of the United States of America at Nairobi, Kenya and Dar Es Salaam, Tanzania*, US Department of Justice, November 18, 1998, Washington D.C.

went on to form the Al-Shabaab terror organization, taking control of parts of South and West Somalia. Kenya has always been a State opponent of Al-Shabaab and has borne the brunt of their brutal attacks that started in 2011.

Kenya, like any other state, has agencies that are tasked with its national security. Sitting on top of this structure is the National Counter-Terrorism Centre, formed in 2014 to specifically co-ordinate Kenya's counter-terrorism efforts in order to detect, deter and disrupt terrorism acts. There is also the National Intelligence Service, National Police Service, working at the basic level of law and order maintenance. Within the police service, there is the Anti-Terrorism Police Unit (ATPU) and the Directorate of Criminal Investigations (DCI) which majors in criminal investigations. The question then arises as to why despite having all these agencies working in tandem, there still have been attacks that have taken place on Kenyan soil. Could there be a missing link in their role in countering terrorism in the country? What other methods have not been explored that could yield success in the fight against terrorism? Success in counter-terrorism means having strategies that go ahead of terrorists as opposed to reactionary strategies. State-focused inter-agency coordination has been the main strategy in fighting terrorism, and yet attacks still take place. This research project focuses on this gap by examining the role of inter-agency coordination in the fight against terrorism and will seek to give recommendations that can be adopted to enhance the success of the agencies tasked with counter-terrorism. In line with Article 48 of the UN Charter,¹⁰ international peace and security is to be maintained by all means necessary, and fighting terrorism is at the centre of the efforts of maintaining peace and security around the world.

¹⁰ United Nations Charter, Article 48, *UN Charter, Full Text*, Retrieved from <https://www.un.org/en/sections/un-charter/un-charter-full-text/>, Accessed on August 3rd, 2019.

1.2. Problem Statement

There have been various studies conducted about countering terrorism in the world. Terrorist organizations on the African continent do not differ from any other across the globe in terms of their basic structure and motivation. They operate in obscurity, and their hierarchies are difficult to fully decipher. These groups are also very adaptive and nimble, posing a challenge to traditional ways of countering terrorism. Most of the previous studies have focused on how the Western States' agencies are dealing with counterterrorism, but there is little focus on how Africa is supposed to deal with this threat. Counter-terrorism on the African continent comes with its own unique set of challenges. Most of the countries on the African continent are classified as developing countries, and do not have the same financial muscle that developed countries do. This means that the resources allocated are limited, yet they are supposed to counter the same kind of national security threat that developed countries face. There is need to examine whether States on the African continent and their CT agencies are primed to detect and neutralize any threats within the minimum time possible. Countering terrorism is an expensive affair, and Africa needs inexpensive CT strategies to achieve better results. Coordination between government agencies has proven to not be fool proof, and this calls for more inclusion of non-State actors who hail from the places where these terrorists reside and hail from. In addition to this, the fact that CT is done in high levels of secrecy means that the communities in which these terrorists reside and come from are excluded in that process, yet they could yield very useful intelligence when gleaned in a very methodical and professional manner. So far, there is little exploration of cheaper, more effective methods that can counter terrorism in Africa and specifically Kenya. This study will investigate the effectiveness of current CT strategies in Africa and Kenya, and seek to recommend those that would be much more effective in light of the economic and demographic setup of Kenya.

1.3. Research Questions

The research questions that this study seeks to provide answers to are:

1. How have various counter-terrorism mechanisms performed in Africa?
2. What is the level of inter-agency cooperation in Kenya in its fight against terrorism?
3. What are the strategies that can be applied by Kenya's State agencies and other African countries to effectively counter terrorism?

1.4. Research Objectives

1.4.1. Main Objective

The main objective of this study is to critically examine and analyze the role of state inter-agency cooperation in contributing to the emerging efforts of countering terrorism in Africa and specifically Kenya, and identifying the gaps in strategy that can tip the balance.

1.4.2. Specific Research Objectives

The specific research objectives of this study are:

1. To investigate the performance of counter-terrorism mechanisms in Africa.
2. To analyze the effectiveness of inter-agency cooperation in countering terrorism in Kenya.
3. To generate appropriate strategies that can be applied by Kenya and Africa as a whole in countering terrorism.

1.5. Literature Review

Literature review in this study will include a review of literature and scholarly works on inter-agency coordination in counter-terrorism, on an intra-state level and also at inter-state level. The Literature will also examine what inter-agency coordination efforts have been put in place so far, to counter terrorism at a global, regional and local level. The review will further identify the gaps in the literature that has been reviewed.

1.5.1. Inter-State Agency Coordination in Countering Terrorism

Sahar Aziz has emphasized that as transnational terrorism grew, so did the need for States to cooperate in order to effectively counter it.¹¹ It has become very crucial for Countries around the world have come together to coordinate their counter terrorism efforts, and this is achieved through the coordination of the various CT agencies within each country. Giuseppe Nesi argues that after the 9/11 terrorist attacks, there was a duplication of efforts to cultivate a coordinated response at the global and regional level.¹²

This effort for a coordinated international response was already in place. In 1994, the United Nations General Assembly issued the Declaration on actions to eradicate global terror threats. In this declaration, the UN asked its member States to take all suitable arrangements at both state and global levels to eradicate radicalism,¹³ and further emphasized the need to

¹¹ Aziz, Sahar F., *The Authoritarianization of U.S. Counter-Terrorism*. 75 Wash. & Lee L. Rev. 1573 (2018). September 12, 2018 Retrieved from <https://ssrn.com/abstract=3248717>; Accessed on August 3rd, 2019.

¹² Giuseppe Nesi, *International Cooperation in Counter-Terrorism: The United Nations and Regional Organizations in the Fight Against Terrorism*, (New York, Ashgate Publishing, 2017), Foreword Page

¹³ See UN General Assembly Resolution 49/60, *Calling for International Cooperation and Development of International Law*, Dec. 9, 1994. Retrieved from <http://legal.un.org/avl/ha/dot/dot.html>; Accessed on July 23rd, 2019.

further international cooperation between States. The UN Security Council also appealed its authority under Charter VII of the UN Charter, demanding that States root out terrorists within their territories. Similarly, Security Council Resolutions 1377 (2001), 1540 (2004), 1566 (2004), and 1624 (2006) describes intercontinental radicalism as the utmost stern threat to global peace and called on states to participate in a continued all-inclusive tactic comprising the vigorous contribution and alliance of Member States of the UN to contest the menace of global terrorism.”¹⁴

The UN has also instituted the United Nations Office of Counter-Terrorism (UNOCT). This organization effort is supported and funded by UN members as through their individual membership of the Global Counter-Terrorism Coordination Compact. This contract involves the 36 UN entities and the Secretary General of UN as well as the international criminal organisation (INTERPOL) and the world customs organisation (WCO) that was formed to counter terrorism design. It is the biggest organization structure at the UN through the institution’s three pillars of work: peace and security, sustainable growth, human rights and humanitarian affairs.¹⁵

Housed by Global Counter-Terrorism Coordination Compact, inter-agency working groups were instituted to enhance all of the UN’s CT strategies and efforts. These working groups have a mandate of ensuring timely sharing of the information, combined programming and resource utilization determinations, to evade excessive replication of efforts and enhance

¹⁴ Resolution 1377, *Threats to International Peace and Security Caused by Terrorist Acts*, Retrieved from <http://unscr.com/en/resolutions/1377>; Accessed on August 30th, 2019.

¹⁵ United Nations Office of Counter-Terrorism, *Global Counter-Terrorism Coordination Compact: Working Groups*, Retrieved from <https://www.un.org/counterterrorism/ctitf/en/working-groups>; Accessed on July 23rd, 2019

synergies.¹⁶ The inter-agency working groups are divided according to the role they play in the coordination compact. The working groups are; evolving terror threats and structural safety, state and regional strategies to counter terror attacks, justice for crime, reaction from legal bodies and combating the funding of terror activities, protection of boundaries and implementation of law to counter terror activities, averting and combating radicalisation and activities encouraging terrorism growth while providing an protection of human right and advocating for the rule of law, combating terrorism and giving the necessary support to the victims of terror activities. The groups also adopt an approach sensitive to gender to stop and averting terror related activities and rallying the resources for UN counter terrorism commitments and monitoring and evaluation.

The International Criminal Police Organization (Interpol) has also played a major role in inter-State coordination in CT efforts around the world. Interpol has created a platform where countries can share biometric data on foreign terrorist fighters. This biometric information has been successful in ruttng out individuals using a false identity, thereby improving efforts to locate terrorists and carry out successful investigations and prosecutions.¹⁷ This platform operates on a principle of ‘need to share’ and ‘need to know’ basis, where the law enforcement agencies in all Interpol partner States are trained on how to record the biometric information of all individuals convicted of terrorism charges. This information is then stored in searchable Interpol databases where agencies from different member States can access it. Interpol has gone a step further and implemented a military-to-police information exchange model (Mi-Lex) that puts information from conflict hotspots into the hands of

¹⁶ *ibid*

¹⁷ INTERPOL; *Identifying Terrorism Suspects*, Retrieved from <https://www.interpol.int/en/Crimes/Terrorism/Identifying-terrorist-suspects>; Accessed on July 23rd, 2019.

respective local law enforcement to continue the process with police investigation and prosecution. With the Mi-Lex platform, military officers in the battlefield are able to share declassified information with relevant Interpol information bureaus, where authorized officials from member countries can access the information for investigative purposes. Buoyed by the successes of these initiatives, Interpol has furthered the State-to-State coordination and cooperation, by connecting and coordinating intelligence between Regions that have not been in communication with each other. They have demarcated the globe into six regions; Amazon (North and South America), Baobab (Sub-Saharan Africa), Al-Qabdah (North Africa and Mediterranean), Nexus (Europe), Kalkan (Central Asia and Far East) and Pacific (South East Asia and Australia).¹⁸ These regions have not before this worked together, and under Interpol's focus on regional cooperation in sharing intelligence and time sensitive information that can boost counter-terrorism efforts in any of these six regions. The efforts are further vindicated by Sahar Aziz's argument that the rise in trans-national terrorism has made States' counterterrorism policies interdependent, and generated multiple international counter-terrorism instruments.¹⁹ In a post-9/11 world, police institutions across the world have freely established global framework and policies regardless of global accords.²⁰

¹⁸ibid

¹⁹ Aziz, Sahar F., *The Authoritarianization of U.S. Counterterrorism* (September 12, 2018). 75 Wash. & Lee L. Rev. 1573 (2018). Available at SSRN: <https://ssrn.com/abstract=3248717>

²⁰ Mathieu Deflem, *Global Rule of Law or Global Rule of Law Enforcement? International Police Cooperation and Counterterrorism*, Sage Journals, Vol 603, Issue 1, 2006. Page 240-251

1.5.2. Intra-State Agency Coordination in Countering Terrorism

Apart from working with other States, most of the CT work is done within a State, because every nation will always institute its own efforts in protecting their own national security. Intra-agency coordination within a State will involve coordination and cooperation between multiple State organs and agencies, each with a unique set of capabilities and roles all geared towards CT efforts. Davis *et al* have indicated that in the aftermath of 9/11 events that ushered in a new dispensation of terrorism, nation and society based organisations have adopted several steps to increase the level of preparedness to combat the terror menace. These steps may include; informing common support contract for all eventualities, informing reaction approaches for terror challenges involving chemical, biological and radiological (CBR) and shepherding risk valuations.²¹

Each State has its own security setup when it comes to CT. However, the patterns of operation fall into similar broad categories of CT work. Monitoring of potential terrorists is where all these efforts begin. This includes identification of identifying its citizens or people residing within its borders who are gradually becoming radicalized. This is done by analysing who they are in contact with, for example a known radicalized individual. The monitoring is done through analyzing their digital footprints, open political statements made by such individuals and any threats they have issued towards the government. This effort is complemented by religious and social institutions, as they are often urged by governments to report any suspicions of radicalization to the police for further investigations. This is best done early in the radicalization process so that it's nipped in the bud.

²¹ Davis, Lois M., Louis T. Mariano, Jennifer E. Pace, Sarah K. Cotton, and Paul S. Steinberg, *Combating Terrorism: How Prepared Are State and Local Response Organizations?* RAND Corporation, 2006. Page 3-5. Retrieved from <https://www.rand.org/pubs/monographs/MG309.html>; Accessed on August 31st, 2019.

Counter-terrorism efforts in this day must include a sweeping monitoring of the websites that its citizenry are browsing. This is important because for an individual to be radicalized they now don't have to be in physical contact with the person who is taking them through this process. Such websites once identified are shut down by the relevant communication agencies in the country.

Terrorist financing is another area where State agencies are coordinating their efforts in order to effectively combat terrorism. Funding of terror activities comprise of lobbying and availing of money to support the terror groups. This money may either be originating from either legal or illegal source. The individuals who finance terror activities do so to cover the information regarding both source of the money and the activity that money has financed.²² Combating terrorist financing is essentially defending the reliability of global monetary systems and blocking any resources accessible to terror groups,²³ and any avenues or channels that they might utilize to fund their nefarious activities. Ridley and Alexander claim that although States have made strides in cutting of the avenues through which terrorists might use to move illicit money around, there still are oversights, interruptions and interferences by law implementation bodies and monetary governing bodies in combating financing of terror activities.²⁴

Intelligence gathering is another critical component in the defence against terrorist attacks. Today's terrorists present a level of difficulty in detection that intelligence agencies

²² International Monetary Fund, *Anti-Money Laundering / Combating the Financing of Terrorism*, Retrieved from <https://www.imf.org/external/np/leg/amlcft/eng/aml1.htm#financingterrorism>; Accessed on August 31st, 2019.

²³ Ibid.

²⁴ Ridley, N. and Alexander, D. (2012), "Combating terrorist financing in the first decade of the twenty-first century", *Journal of Money Laundering Control*, Vol. 15 No. 1, Page 38-57. Retrieved from <https://doi.org/10.1108/13685201211194727>; Accessed on August 31st, 2019.

have not dealt with before. As intelligence gathering tactics evolve and adapt, so do the terrorists. A State needs to be in a position to identify and thwart attacks at their early planning stages if possible. This is the role that intelligence gathering plays in CT. The characteristics of those seeking to carry out terrorist attacks vary widely, such that they have come to form a formidable challenge to intelligence agencies.²⁵ Today's terrorists will come out in the form of mentally-unstable loners, extremist sleeper cells residing in a country, State-sponsored terrorists, military mercenaries or small tight-knit groups with deep rooted ties like familial ties or radicalized religious views. The State's intelligence services must analyze the information collected from these various sources and analyze them to unearth a complete picture of the type of threat that the country could be facing. After analyzing and threat identification, there has to be an alert system that cascades this information to other government agencies for action to be taken to neutralize the threats. In Kenya for example, the National Intelligence Service will share this information with the Directorate of Criminal Investigation if it is a domestic threat that needs to be neutralized, or to the military if it an internal threat. Other State agencies will also be called to action in such case. The communication authority will be tasked with monitoring the communication to and from the potential terrorists, the Financial Reporting Centre will be called to trace, monitor and halt any financial transactions that could aid the terrorists from achieving their objective.

All the above measures are focused on deterrence and pre-emptive strikes against terrorist and related activity. However, in *How to Deal with Terrorism*, Bruno S. Frey claims that individuals and groups fighting terror attack have been employing wrong approach. These groups have been focusing on deterrence and pre-emptive raids as opposed to reduction of

²⁵ Federation of American Scientists, *The Inman Report: Report of the Secretary of State's Advisory Panel on Overseas Security*, Retrieved from <https://fas.org/irp/threat/inman/part08.htm>; Accessed on August 31st, 2019.

exposure by distributing society, strengthening positive incentives for radicalization trainees to leave the terrorist sites, and eventually divert media responsiveness from terrorist groups.²⁶

1.5.3. Challenges of Inter-Agency Coordination in Counter-Terrorism

The preceding portions of this literature review have shown that inter-agency coordination has enabled States and the world at large to make strides towards deterring and pre-empting terrorist attacks. The foundation of inter-agency coordination should be the common goal of making sure that the process of coordination is successful in bringing together the interests of numerous agencies, and government administrations with individual agendas. This has however not come with its own challenges. Most of these agencies tasked with counter-terrorism are independent State agencies that have varied mandates that they carry out with their unique set of standard operating procedures. Chase H. Boardman argues that both the predominant administrative culture of the Intelligence Community and the interior values of the institution contained by same organisation, their members from distribution intelligence.²⁷ Intelligence in this case can be referred to us the product achieved as a result of acquisition, incorporation, scrutinizing, assessment and making sense of the available information regarding foreign nations or areas.²⁸

²⁶ Frey, Bruno S., *How to Deal with Terrorism*, The Economists' Voice, Volume 3, Issue 7, August 28th, 2006,

²⁷ Boardman, Chase H, *Organizational Culture Challenges to Interagency and Intelligence Community Communication and Interaction*, Joint forces Staff College/ Joint Advanced Warfighting school, 7800 Hampton Blvd, Norfolk, VA, May 31st, 2006. Page 1-2. Retrieved from <https://apps.dtic.mil/dtic/tr/fulltext/u2/a451234.pdf>, Accessed on September 3rd, 2019.

²⁸ Joint Chiefs of Staff, *U.S. Department of Defense Dictionary of Military Terms*. (New York: Arco Publishing, 1988), Page 183.

Communication between different agencies remains a key hurdle to get over. These hurdles are not intentional and are occasioned by the methods and tools at the disposal of each agency to gather, analyze and disseminate or distribute information within the government. In the 9/11 attacks in the US, it was later found out that the FBI had information about the number and nature of phone calls that the suspects were having. The CIA on the other hand had information about their movements overseas, showing the places that the suspects were frequenting. Had these two pieces of information been brought together, the American intelligence community would have known what the terrorism suspects were discussing when they visited the known terrorist breeding grounds in Middle East and other parts of the world. This information as a whole would have been very vital in pre-empting 9/11 and possibly stopping it from happening. This also speaks to a challenge in how these agencies communicate with each other. The organizational structure in a State's counter-terrorism agencies should be modified to allow for flawless knowledge sharing between its agencies. The intelligence on a potential terrorist should not be shared only when asked for, but should be proactively shared to keep all the agencies abreast with what is happening at any particular time.

Inter-agency coordination has also been plagued by the problem of segregating counter-terrorism efforts either as purely a military matter or a law enforcement matter. This author contends that counter-terrorism should not be classified in such a binary form, but rather the entire effort should be a hybrid of all the capabilities of the agencies tasked with CT. Non-militaristic agencies operating in a State will normally have the constitutional mandate to investigate the terrorist acts, as they are usually the first ones on site after an attack. The military agencies on the other hand have the mandate to carry out surveillance and identify any external threats or can follow up on intelligence trails that go beyond the borders of a State, where its local agencies do not have jurisdiction. This way, both the military and civilian

agencies can exploit the individual strengths of their unique CT measures for the protection of the country.

Akinola points out that many countries are coming around to the realization that there is a need to go beyond tackling terrorism militarily when dealing with the threat of terrorism in Africa.²⁹ Militaristic options have proven insufficient to contain the spread of terrorism. On the African continent, most countries faced with terrorism do not have the financial muscle to spend big on military attacks and therefore they have to re-think their counter-terrorism strategy that does not require immense financial muscle. These should be strategies that would ensure that the government is always several steps ahead of the terrorists at any one point, as opposed to playing catch-up. The problem of terrorism in Africa will need to have an African solution.

1.6. Gaps in Literature

Existing literature on inter-agency coordination in CT has focused on how developed countries have synergized their agencies involved in CT efforts. There is a gap in discussing on how best such agencies should coordinate and synergize with non-State actors drawn from the ecosystem where these terrorists spawn and reside. This study will investigate how State-focused inter-agency coordination has performed and examine how it can be augmented with cooperation between State agencies and non-State actors to form an inexpensive hybrid counter-terrorism strategy that can work in Kenya and Africa.

²⁹ Ahmed, Ibrahim, *African Countries Struggle to Contain Terror Groups*, Voice of America Extremism Watch, October 2nd, 2018. Retrieved from <https://www.voanews.com/extremism-watch/report-african-countries-struggle-contain-terror-groups>, Accessed on October 22nd, 2019.

1.7. Justification of the Study

To the scholarly world, this study will shed light on the benefits of inter-agency cooperation in countering terrorism. It will further buttress the and argue for the cause of State investment in specialized agencies to deal with and target specific facets of terrorism. The study will bridge the gap between previous studies that focused on the deficiencies of agency setups in the past and elucidate the most effective strategies of inter-agency cooperation in the fight against terrorism.

To the policy makers, this study will elucidate the strategies that should be implemented by the State to create new synergies between its agencies tasked with countering terrorism.

1.8. Theoretical Framework

This study will be based on the theory of realism. This is a theory that was proposed by Hans Morgenthau. Realism is a mainstream theory that argues that the state is the key actor or primary agents in international politics and there is no actor above the state, governments are engaged in a constant effort to ensure the survival of their respective states, and that States selfishly pursue their national interests, the most vital being national security.³⁰ Terrorism in its various forms have one characteristic in common – it constitutes a threat to any State’s national security. This is the reason why States deploy immense resources in counter-terrorism efforts.³¹ This theory fits in studies related to modern day terrorism because from a realist

³⁰ Morgenthau, Hans J., and Kenneth W. Thompson. 1993. *Politics Among Nations: The Struggle for Power and Peace*. New York: McGraw-Hill.

³¹ Ayodeji Bayo Ogunrotifa, Research on Terrorism: An Overview of Theoretical Perspectives, Asian Journal of Research in Social Science & Humanities, Volume 2, Issue 9, September 2012. Page 11-27.

orthodoxy view, terrorism is carried out by non-State actors.³² The rejection of state-sponsored terrorism by this theory alludes to how proponents of this theory define or conceptualized terrorism. Scholars like Bruce Hoffman defines terrorism as the act of fuelled by groups within or without the states jurisdictions.³³ In another incidence, Caleb Carr denotes terrorism as a deliberate war organised by a group targeting common citizens with aim of interfering with their ability to respect leadership and the set polices and other policies from agents within the country who get involved in the war.³⁴ Walter Laqueur also weighs in on this debate and describes terrorism as a fatal battle cultivated by informal groups in most cases that belong to different nationalities, who frequently bear no relation to their country of origin and who claim no responsibility for their actions. They purpose to kill as many people as possible, mainly civilians and their blind fatal violence is exemplified by hate, hostility and anger.”³⁵

This theory will be used in this study to explain why States have gone to great lengths in attempts to reform their agencies and institutions and empower them to confront the threat of terrorism. The use of the realist theory to define a terrorist and terrorism serves an important role in today’s global power relations. It serves to sustain and maintain the existing institutional and power-relational status quo by confronting any destabilizing pressures within the international system. Terrorism has enormous geo-political consequences, and can, and has influenced how nations relate with other nations, especially when their political or religious ideology is seen as an enabling factor for terrorism.

³² ibid

³³ Hoffman, Bruce. *Inside Terrorism*. London, 1998: Victor Gollancz.

³⁴ Caleb Carr, *The Lessons of Terror*, Penguin Random House, 2003,

³⁵ Walter Lacqueur, *Post-Modern Terrorism*, Journal of Foreign Affairs, Volume 75, No. 5, September 1996, Page 24-36

1.9. Hypotheses

H₀: The current mechanisms being applied by respective State security agencies in African States are not adequately countering terrorism.

H₀: Inter-agency cooperation has not reached the desired levels to effectively counter terrorism in Kenya.

H₁: A coordinated and combined effort between State agencies tasked with countering terrorism in Kenya and non-State actors will yield the desired results in the fight against terrorism.

1.10. Research Methodology

1.10.1. Research Design

This study used a mixed methodology research design for data collection and subsequent data analysis. The research is a case study of Kenya in reference to its counter-terrorism mechanisms. The study used methodological triangulation of primary and secondary data. Primary data was in the form quantitative and qualitative in-depth interviews with key stakeholders and secondary data was in form of extensive desk research. Quantitative data will be critical in providing statistical insight into the issues under investigation, and qualitative data collection will be useful in getting and unearthing valuable insights about inter-agency coordination in Kenya and Africa.

1.10.2. Research Site

The study was conducted in the Republic of Kenya. This was informed by the fact that Kenya has borne the brunt of terrorist attacks on its soil, and hence are at the forefront of CT efforts in the larger Horn of Africa region. The government has been equipping its various agencies with the requisite capabilities to give these agencies an edge in fighting terrorism. The researcher will seek to appraise the coordination between these agencies and gauge their effectiveness in countering terrorism in Kenya. The focus of the research was policy frameworks that govern inter-agency coordination.

1.10.3. Research Population

The research population for this study were pooled from various arms of government that are involved in the fight against terrorism. Qualitative data was collected through key informant interviews with officials from the Office of Director of Public Prosecutions (ODDP), the Anti-Terrorism Police Unit (ATPU), a Judge or Magistrate who has handled a terrorism-related case, and court prosecutors from respective courts that have dealt with terrorism cases. Further information was collected from officers attached from the National Counter-Terrorism Centre (NCTC) and the National Intelligence Service (NIS). The qualitative sample spread as detailed in Table 1 will help the researcher get an all-round view about the judicial procedures in Kenya, identifying the weaknesses and areas of optimization.

Table 1: Sampling Structure

Respondent	Sample Size
Anti-Terror Police Unit	1
National Counter-Terrorism Centre	1
Financial Reporting Centre	1
Kenya Defence Forces	1
Scholar, International Relations & Governance	1
General Public (Out of Home Intercepts)	80

(Source: Researcher, 2019)

1.10.4. Research Tools for Data Collection

1.10.4.1. Qualitative Discussion Guide

Qualitative data collection made use of a Qualitative discussion guide which explored key thematic areas in the study.

1.10.4.2. Quantitative Structured Questionnaire

Quantitative data collection made use of a structured questionnaire with both closed ended and open ended questionnaire. This was administered to the general public.

1.10.4.3. Secondary Data Collection

This study also utilized extensive secondary research which was collected by analysing literature contained in journals, articles in periodicals, books, academic documentaries, and newspapers.

1.10.5. Data Analysis

Data analysis for this study was done through descriptive statistical analysis of the quantitative data collected and also content analysis of the qualitative in-depth interviews. The content analysis was instrumental in narrowing down the wide breadth of information to key array of variables. The content analysis was used to provide an understanding of terrorism from the point of view of the respondents, how terrorism cases are prosecuted in Kenya, and what strategies are lacking for an effective jurisprudence against terrorism in Kenya.

1.11. Scope of the Study Limitations

This study faced a limitation of availability of the identified respondents. In the cases where they were available, there were aspects of counter-terrorism that they were not willing to divulge due to the sensitive nature of such information. Further, it was not possible to get a hold of classified information relevant to some aspects of counter-terrorism due to the implication on national security of divulging such information.

1.12. Chapter Summary

Chapter One:

Introductory Chapter

This chapter contains the background to the study, problem statement, The Main Objectives, Specific Research Objectives, Literature Review, Gaps in Literature, Justification of the Research, Theoretical Framework, Hypotheses, Methodology of Research, Scope and Limitations of Study, and Chapter Outline.

Chapter Two:

An Investigation of Counter Terrorism Mechanisms in Africa.

This chapter captures an overview of the state terrorism and counter-terrorism measures in Africa. Thereafter, it will critically examine the mechanisms used in countering terrorism in Kenya.

Chapter Three:

Effectiveness of Inter-Agency Cooperation in Countering Terrorism in Kenya.

This chapter starts with an overview of the agencies tasked with countering terrorism in Kenya and will thereafter examine how these agencies synergize to achieve the common goal of countering terrorism in Kenya.

Chapter Four:

Appropriate Counter-Terrorism Strategies for Africa and Kenya.

This chapter focuses on identifying comprehensible, long term approaches to inter-agency cooperation to effectively counter terrorism in Kenya.

Chapter Five:

Data Analysis and Presentation

This chapter focuses on data analysis and presentation.

Chapter Six:

Conclusions and Recommendations.

CHAPTER TWO: PERFORMANCE OF COUNTER-TERRORISM MECHANISMS IN AFRICA

2.0. Chapter Two Introduction

Africa has not been spared the scourge of terrorism. There are various extremist groups that are using overt violence to advance their religious or political agendas. From Nigeria on the west coast of the continent, to Kenya and Somalia on the east coast, terrorists have wreaked havoc on innocent citizens as they wage their extremist ideology wars. This chapter examines the framework that continent as a whole has instituted to responded to the threat of terrorism, and what collective efforts African countries are instituting in terms of information sharing and joint counter-terrorism operations.

2.1. Home-grown Terrorism Threats in Africa

On the African continent, several countries have found themselves grappling with the threat of terrorism emanating from within its borders. Nigeria battles the Boko Haram Islamist radicals fighting to make Northern Nigeria an Islamic State. This group's growth begun circa 2010, fostered by bad governance, corruption, persistent economic hardship, and rising inequality.³⁶ The Boko Haram problem transcends borders because the militants regularly cross the borders between Nigeria, Cameroon, Niger and Chad, in a bid to avoid the military forces hunting them down. Within five years of their rise, the Nigerian Islamist terrorists organization Boko Haram had evolved into the most lethal of all Salafist jihadist

³⁶ Schultz, Heidi, *Nigeria's Boko Haram: Who Are They and What Do They Want?* National Geographic News, May 8, 2014.

organisations.³⁷ In the first half of 2014, Boko Haram had at that time even surpassed the Islamic State (ISIS).³⁸ With its numbers estimated to be in the thousands, Boko Haram's campaign of terror has spilled over into neighbouring Cameroon, Chad and Niger, turning parts of these countries into conflict zones.³⁹

Boko Haram continues to wage terror in Nigeria, with attacks as recent as July 2019.⁴⁰ Experts on Boko Haram activities have estimated that Boko Haram have carried out 2,800 attacks, with more than 31,000 fatalities.⁴¹ Even though the Nigerian government insists that the threat from Boko Haram is under control, data shows that the terrorist groups has retained the capacity to engage in devastating attacks and has maintained a constant level of activity since 2014.⁴² The Nigerian military despite of continuous efforts in the fight against Boko Haram has failed to neutralize their capacity to wage terrorist attacks. This has eroded the public's confidence in the government to effectively deal with the Boko Haram menace.

Kenya has been dealing with terrorist threats since 1998 when the US Embassy in Nairobi was bombed as part of a coordinated attack on the US embassies in Kenya and Tanzania. This attack was carried out by Osama bin Laden's Al-Qaeda terror operatives.⁴³ Since this time, a new terrorist threat has emerged from neighbouring Somalia. An Al-Qaeda affiliated group

³⁷ Mantzikos, I., *Boko Haram Attacks in Nigeria and Neighbouring Countries: A Chronology of Attacks*. Perspectives on Terrorism, North America, December 8th, 2014.

³⁸ See Mantzikos, Page 64

³⁹ Ibid, Page 64

⁴⁰ Danielle Paquette, *Suspected Boko Haram fighters kill 65 in attack on funeral in Nigeria*, The Washington Post, July 29th, 2019.

⁴¹ Matfess, Hilary, *The New Normal: Continuity and Boko Haram's Violence in North East Nigeria*, Relief Web, February 11th, 2019.

⁴² See Matfess, Hilary

⁴³ PBS Frontline, *FBI Executive Summary: Bombings of the Embassies of the United States of America at Nairobi, Kenya and Dar Es Salaam, Tanzania*, US Department of Justice, November 18, 1998, Washington D.C.

known as Al-Shabaab was birthed after the Islamic Courts Union were thrown out of power towards the end of 2006. The more hardline militant members of the Islamic Courts Union went on to form the Al-Shabaab terror organization, taking control of parts of South and West Somalia. Kenya has always been a State opponent of Al-Shabaab and has borne the brunt of their brutal attacks that started in 2011. Al-Shabaab claimed responsibility for the 2013 attack on the upmarket Westgate Mall in the capital of Kenya, Nairobi. This attack was followed by several smaller attacks by Al-Shabaab sympathizers and recruits. In April of 2015, Al-Shabaab struck Garissa University in the NEP of Kenya and killed 148 people. On January 15th, 2019, Al-Shabaab attacked the Kenyan capital again, detonating suicide vests and opening gunfire at the DusitD2 Hotel Complex within a walking distance of Nairobi's Central Business District. This attack claimed 21 innocent lives, and five of the attackers were also killed.

Apart from making Kenya a target for their violence campaign, Al-Shabaab has successfully recruited Kenyans to join its ranks, and many have crossed the border to Somalia and joined the training camps of the terrorist group. Al-Shabaab has targeted youth from the marginalized communities along the Kenyan coast, who have common religious roots with Al-Shabaab.⁴⁴ Al-Shabaab has successfully exploited the impoverished state in which some of these youths live in, luring them with a promise of reward if they join their terror campaigns. The youth are promised attractive perks that to them are a way out of the misfortune of unemployment. This has given the terror group a steady flow of recruits from Kenya, undermining the efforts that the government has been putting up in thwarting attacks within Kenya's borders.

⁴⁴ TRT World, *Why is Al Shabaab making inroads into Kenya?* TRT World News Magazine, March 15th, 2019.

2.2. The Africa Union's Counter-Terrorism Framework

Concentrated determinations alleviate terror an activity in African countries is dated in early 1990. Organization of African Unity (OAU) back in 1992 which is the present African Union deliberated to promote the Collaboration and Organization amongst African nations. In their agreement, OAU committed to contest the occurrences of radicalism and terror activities⁴⁵. In 1994, the OAU assume the Affirmation on the Code of Conduct for Inter-Africa Associations, in which it prohibited all manner of radicalism and terror relate activities, whether under the alleged reason of sectarianism, tribalism, culture or faith. The affirmation also fated, as unlawful, all terror related activities, approaches and strategies, and articulated its tenacity to improve collaboration to fight such acts.⁴⁶

In the year 1999, OAU had a conference to discuss on the issues of deterrence and stopping of terror related activities in Africa. The members affiliated to AOU were obligated to declare all the activities associated with terror crime and append it within their law as per the AOU specifications. The conference also defined extents of collaboration and organization among its members, conventional State authority over terror activities and offered a legal approach for deportation as well as extra-territorial investigations and shared legal aid. This agreement entered was fully implemented in the year 2002, and to date, forty countries in Africa have endorsed it.⁴⁷

⁴⁵ African Union Peace and Security, *The African Union Counter Terrorism Framework*, November 23rd, 2015.

⁴⁶ See African Union Peace and Security

⁴⁷ African Union Peace and Security, *The African Union Counter Terrorism Framework*, November 23rd, 2015.

2.2.1. The AU Plan of Action on the Prevention and Combating of Terrorism

In September of 2002, African Union assumed an action plan with aim of stopping and alleviating terror activities in Africa. The plan incorporated actual counter terror procedures with a key aim of addressing security concerns in the continent. These concerns involved work of police, protection of borders, legal structure court procedures on the financing of terror groups and the sharing of security information. To reinforce the security concerns as a result of terrorism, AU formed African Centre for the Study and Research on Terrorism (ACSRT) was instituted in 2004. ACSRT has been serving as a framework of centralized information from several studies and analysis that has been conducted on the subject of terrorism and terror groupings with ultimate goal of creating counter terror capacity building platforms. This research body was further established to offer a platform for interface and collaboration among the countries who are members to the team and offer reliable insight to help AU in combating terror related challenges. This body works with other regional and global stakeholders to attained common force in combating terror in Africa.

The states who have subscribed as members, appends signature indorse global instruments that have a direct effect on limiting extremism internationally. These instrument include; the 1963 Tokyo Convention on Offences and Certain Other Acts Committed on Board Aircraft, 1984 Montreal Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, 1973 New York Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, 1979 International Convention against the Taking of Hostages, 1979 Convention on the Physical Protection of Nuclear Material, 1982 United Nations Convention on the Law of the Seas, 1991 Convention on the Marking of Plastic Explosives, 1997 International Convention for the Suppression of Terrorist Explosive Bombs

and the Convention on the Prohibition of the Use, Stockpiling, Production, and Transfer of Anti-Personnel Mines and on their Destruction.⁴⁸ The signing and ratification of these international agreements means that African States could augment their existing laws with these international treaties, in order to draw from the advantage of collaboration with other countries in fighting terrorism. The AU urges the member States to seek help in amending their respective national laws to comply with the above international CT instruments.

Further, The African Union High-Level Inter-Governmental Meeting on the Prevention and Combating of Terrorism in Africa calls for deeper collaboration and coordination between African States in combating terrorism. It required member States to develop and strengthen monitoring mechanisms aimed at detecting illegal cross border transportation, importation, export, and stockpiling of arms and ammunition and explosives that could aid a terrorist attack. The AU further calls on member States to promote the exchange of information and expertise of terrorism and terrorist acts, and also establish databases for the studying, collection and analysing of data related to terrorist groups, their movements and organizational structure.

Asylum cases in member States are also to be scrutinized under this agreement. This is necessary so as to ascertain whether the persons seeking asylum are currently or have been previously involved in any form of terrorism. Member States are also encouraged to enhance collaboration between the institutions and other stakeholders who takes part in prevention of terror activities such as legal bodies, the security personnel's, courts financing bodies, the state forces and civil defence forces⁴⁹

⁴⁸ African Union, *African Union High-Level Inter-Governmental Meeting on the Prevention and Combating of Terrorism in Africa*,

⁴⁹ *ibid*

Police and border control are also very key CT measures that the African Union requires its member States to implement. They are required to enhance border control and surveillance, and institute the necessary means to curtail and prevent the forgery of passports and identification cards, as well as any other travel documents. The States are required to issue travel documents with advanced security features that would make it impossible to forge such a document.

The AU member States are further required to revise and upgrade their laws and regulations governing border control and security protocols that dictate the monitoring of land, sea and air entry points. Such a measure will curb infiltration and promote coordination among police agencies of all member States. They are further required to train their immigration agencies and other security personnel on the profiling of individuals coming into, or just transiting through any country.⁵⁰ The act of profiling has been perfected in the Israel State, where the success of security at the Ben Gurion International Airport has been partly credited to the honing of the behavioural profiling skills. There has never been any hijacking out of Ben Gurion airport. They have a mandatory interview and forensic check for each and every departing passenger. These stringent security measures have a lot of support from the public, which is further supported by the fact that 80% of terrorist bomb plots are discovered and reported by the public.⁵¹

The African Union also requires member States to examine their laws and judicial procedures to ensure that they are adept at handling terrorism related cases. Member States are required to amend where necessary their national laws relating to bail and other criminal

⁵⁰ See AU Plan of Action for Prevention and Combating of Terrorism

⁵¹ Harcourt, Bernard E., *Behavioral Profiling at U.S. Airports*, University of Chicago, August 25th, 2006. Page 4.

procedures so as to guarantee an expeditious trial for those accused of crimes relating to terrorism. Witnesses should be accorded State protection, and special procedures should be put in place to handle the sensitive evidence that is used in court proceedings against terrorism suspects. This evidence will most of the time be time-sensitive intelligence that a State has to safeguard as its divulgence would jeopardize its own security and the security of the intelligence officers who collect that information. These Protocol further places upon the member States the responsibility of placing the architect, the defender, the collaborator, the instigator and the promoter of terror activities on the same platform as the perpetrator of such an act.⁵²

AU member States are also required to draft, harmonize and conclude extradition agreements, to enhance effective cooperation between African States in fighting terrorism. These extradition agreements should give influence to the value of repatriation to the State in areas where the terror occurrences has been committed or performed, and warrant that in accordance to international law, a claim of political motivation is not recognized as basis in which the extradition of any person directly or indirectly incorporated in terror activities.⁵³

⁵² African Union, *Plan of Action for African Union High-Level Inter-Governmental Meeting on the Prevention and Combating of Terrorism in Africa*, Retrieved from <http://www.peaceau.org/uploads/au-anti-terrorism-plan-of-action.pdf>, Accessed on September 11th, 2019.

⁵³ See African Union Plan of Action for Prevention and Combating of Terrorism.

2.2.2. Establishment of Peace and Security Council of the African Union

In July, 2004, the AU resolved to stop and alleviate terrorism in Africa, reinforcing the agreement as per 1999 African union agreement⁵⁴. The procedures adopted acknowledge the actual and developing threat of terror, inter country terror, money laundering, trafficking of the drugs and illegal increase firearms. The resolution also provide establishment of the council to oversee Peace and Security Council of the African Union. The directive of this council is to organize determinations on the African countries to combat global terror threat. Twelve States have so far ratified this Protocol.⁵⁵

First, the council for Peace and Security was established as an initial cautionary initiative to enable proficient reaction to struggle and disaster conditions in Africa. The initial cautionary approach has a significant value in AU's effort to combat terror attacks as the approach encourages monitoring and observation centres, responsible for collection of data and its analysis to deduce whether certain observed activities constitute a real and present danger.

2.3. Suppression of Financing of Terrorism

African regional and sub-regional organizations have sought to establish different mechanisms of addressing the threat of terrorism in the form of legislations, norms, and institutions.⁵⁶ Financial institutions are also included in this bracket. The African Union has mandated its member States to operationalize the 1999 International Convention for the

⁵⁴ African Union Peace and Security, *The African Union Counter Terrorism Framework*, November 23rd, 2015. Retrieved from <http://www.peaceau.org/en/page/64-counter-terrorism-ct>, Accessed on September 10th, 2019.

⁵⁵ *ibid*

⁵⁶ Yohaness, Dawit, *Counter-terrorism Partnership in a Crowded Field: A Case Study of the EU, AU, and IGAD*, Nordic Africa Institute, Uppsala, November 2017.

Suppression of Terrorism Financing.⁵⁷ The AU calls on its member States to freeze and have stringent control of individuals, companies or any organizations that are suspected of financing terrorist activities. African States have made it mandatory for financial institutions to alert their respective authorities of the movement of any financial resources that are suspected of having links to known terrorists, terrorist sympathizers or terrorist activity. Ehrenfeld opines that money is often provided to terrorists through legitimate businesses and institutions such as Non-Governmental Organizations, international aid organization or even charities.⁵⁸ It is therefore important that African countries monitor such financial activity given that the continent is the target of a lot of international aid, and is also the continent of choice for a lot of charity work.

Recent events paint a picture of governments struggling to contain the illicit flows of money that could end up financing terrorist activity on African soil. In a 2018 National Risk Assessment Report from the Ugandan Government, the findings contained therein indicated an increased capacity of terrorist organizations to execute bigger attacks than before. The report also listed significant weaknesses in the regional governments in their ability to deal with the flow of illicit money.

Terrorists have been known to use various ways to fund their activity. In Africa, these financing methods include extortion schemes, donations from NGOs, foreign remittances, wildlife poaching, piracy in the seas, illegal mining among others. The Al-Shabaab terrorist

⁵⁷ African Union Peace and Security, The African Union Counter Terrorism Framework, November 23rd, 2015. Retrieved from <http://www.peaceau.org/en/page/64-counter-terrorism-ct>, Accessed on September 10th, 2019.

⁵⁸ Ehrenfeld, R., *Funding Evil: How Terrorism is Financed and How to Stop it*. Bonus Books, Chicago, 2003

group has also been known to fund its activities through the trade of charcoal and other lucrative commodities in Somalia.

Countries on the African continent have ramped up their anti-poaching efforts in a bid to stifle that source of financing for terrorism, while existing frameworks like the Kimberly Process controls the trade in diamonds so that there are no illicit proceeds from the sale of diamonds that will be used to finance a terrorist attack.

Mobile money transfer has proliferated on the continent, putting this service at risk of being used by terrorists to send money. Providers of this platform have capped the amounts one can transfer in a single transaction, as well as how much one can transact in a period of twenty-four hours. This has enabled a high degree of traceability of monies that are transferred through such platforms. This has been a key tool in suppressing the financing of terrorism via this platform. Forex bureaus and foreign remittance platforms also bear the risk of being used for terrorism financing. They are deemed as bearing the highest terrorism financing risk levels in Uganda,⁵⁹ a country on the East Coast of Africa. Even though there are transaction thresholds that govern the money transfer platforms, there are low levels of oversight, on top of ineffective monitoring and reporting of suspicious transactions to the relevant authorities.

2.4. Chapter Two Conclusion

The findings of this chapter reveal that Africa is dealing with a threat of terrorism that has grown and metastasized within its borders. Boko Haram in Nigeria and Al-Shabaab in Somalia and Kenya are the two biggest active threats of terrorism on the continent. The conflict that

⁵⁹ Bernard Busuulwa, *Worrying Report of Terrorist Groups Gaining Financial Muscle in Uganda*, The East African, September 22nd, 2018

has arisen due to Boko Haram campaign of terror has become internationalized. It has spilled over to Chad, Cameroon and Niger. The public's confidence in the ability to neutralize the threat to society that is posed by Boko Haram. Terrorist groups acting within Africa often recruit followers from the countries where they are based. Al-Shabaab have been known to recruit from impoverished and marginalized communities both in Kenya and Somalia.

This chapter has also discussed the AU's counter-terrorism framework, which calls for the strengthening of cooperation and coordination among its members States in the fight against terror related challenges. It calls for all its member States to ratify and sign several international CT instruments that have a direct effect on the level of success of CT efforts not only on the continent, but also globally. The AU further enacted the Plan of Action on the Prevention and Combating of Terrorism, specifically to address the challenges that are facing the continent's CT efforts. One result of this action plan presents the African centre for the research on terror related challenges. The centre provides the central point from where information, scholarly evidence, analysis on terror group and terror activities in Africa. The centre further gives a stand from which the AU members connect and corporates.

CT in Africa under the auspices of the AU also calls for strengthening monitoring mechanisms to facilitate detection of illegal cross-border transportation, importation, export and stockpiling of arms, ammunition and explosives that could aid a terrorist attack. Exchange of information between member countries will be crucial in achieving such a task.

African States are also required to closely examine their laws and judicial procedures to make sure that they are air-tight when it comes to handling of terrorism cases. Countries in Africa are required to hold expeditious trials for those suspected of terrorism crimes. Witnesses

in such cases should be accorded State protection. Special procedures should be put in place to handle the sensitive evidence that is key to secure a conviction in a terrorism related case.

The enactment of the Establishment of Peace and Security Council of the African Union is based on the recognition that there is a growing threat of terrorism activity on the African continent, and further highlights the nexus between terrorism and cross border crime, money laundering, drug trafficking and proliferation of illicit arms. This council coordinates the efforts of curbing money laundering and cross border crime like illegal money transfers, and the sale of poached wildlife trophies.

African countries are also actively suppressing any avenues that could be used to finance terrorism. This is done through monitoring of financial activity of individuals, companies or non-governmental institutions that are suspected of aiding terrorists or are sympathetic to terrorist causes. This chapter also highlights that terrorism financing is often provided terrorists through legitimate businesses or non-governmental organizations. Some of the ways that terrorists use to finance their activity are extortion schemes, donations of NGOs and charities, foreign remittances, wildlife poaching, piracy in the seas and illegal mining of precious stones. Corresponding efforts towards these sources of illicit finances are aiding the CT efforts in Africa. Wildlife management authorities have stepped up their anti-poaching capabilities, while process like the Kimberly Certificate for diamonds are used to control their sale and movement so as to minimize the chances of these proceeds financing terrorism.

CHAPTER THREE: EFFECTIVENESS OF INTER-AGENCY COOPERATION IN COUNTERING TERRORISM IN KENYA.

3.0. Chapter Three Introduction

Kenya is one of the countries in Africa that has borne the hardest brunt of terrorism and extremist violence. The first major attack on Kenyan soil came in 1998 with the bombing of the US embassy in the capital Nairobi. The overall threat of terrorism did not end with that attack, but rather started with that attack. There had been various other smaller attacks in the country even before 1998. The current threat emanates from the Al-Shabaab extremist group that is based in Somalia, a country that shares a 670-kilometer border with Kenya. Monitoring movements across this border has proven to be a logistical and operational headache, and this loophole has been utilized by Al-Shabaab to move their militants in and out of Kenya with ease. This chapter expounds on how Kenya has set up its various agencies to counter the threat of terrorism within its borders. The chapter will further examine how effective these counter-terrorism strategies have been, how they are working, and what are their weak points.

3.1. 1998 US Embassy Bombing and the Lessons Learnt

The attack that took place on August 7th, 1998 caught the country unawares, with our security agencies being caught flat-footed. This was part of a coordinated attack that also saw the US embassy in Dar-Es-Salaam. In Nairobi, 212 people were killed and more than 4,000 wounded in the attack. The twin bombings were planned by Al-Qaeda to mark the eighth anniversary of the arrival of US forces on Saudi Arabian soil.⁶⁰ It was these attacks that

⁶⁰ Laing, Aislinn, *Nairobi Assault: Kenyan Terrorist Attacks Since 1980*, The Telegraph, September 21st, 2013.

projected Osama Bin Laden on the world's stage, making him the face of terrorism around the globe.

In 1997, the then Director-General of the National Security Intelligence Services (NSIS) presented a comprehensive report on measures that needed to be seriously considered for Kenya to deal with the emerging threat of global terrorism. One of the recommendations was the instituting of a multi-agency counter terrorism coordination centre which would act as a central liaison body for countering terrorism. The proposed inclusion of this multi-agency body would be the police, military, the intelligence organs and immigration. The report also called for cooperation between Kenya's counter terrorism officials and those from foreign allies. Prevailing political circumstances intervened negatively, and these recommendations were not implemented as quickly as the NSIS Director-General was proposing. 1997 was an election year in Kenya, and the sitting government was focused on winning the election. Policy changes in the security organs in the country was took a back seat.⁶¹ It would take ten more years after the 1998 terror attacks for the multi-disciplinary agency would become fully operational in line with the recommendations of the Intelligence chief. Kenya had learnt its lesson jihadist terrorism campaigns were brooding and taking place right within its borders. A different approach was needed to deal with this new threat to national security. The Director General's recommendation would now be considered with renewed enthusiasm and focus.

3.2. Kenya's National Counter Terrorism Centre (NCTC)

At the turn of the 21st century, Kenya became a prime target for Al-Shabaab's radicalization and attacks. Experts on terrorism in the Horn of Africa estimate that as of 2012,

⁶¹ Kamau Ngotho, *Blunders That Exposed US Embassy to 1998 Terror Attack*, Sunday Nation, August 5th, 2018.

the terrorist group was attracting a large number of Kenyan Islam converts. They further estimate that by December of 2014, Kenyans comprised a quarter of Al-Shabaab ranks.⁶² Apart from attacking targets within Somalia, Kenya was Al-Shabaab's most frequent target for their terrorist attacks. This escalation of threats against Kenya's national security needed a well-coordinated response to continuously deter and neutralize this threat. In April of 2003, a counter-terrorism paper was conceived and presented to the Cabinet in September of the same year. As a result of this concept paper, the National Counter Terrorism Centre was inaugurated on January 24th, 2004.

The Security Amendment Act of 2014 outlines the role of the National Counter-Terrorism Centre (NCTC) as being responsible for the coordination of Kenya's CT commitment so as to identify, and interrupt terror activities. The NCTC mission is realized by reinforcement and fixing safety, governmental and non-governmental systems and structure that provides a strong counter terrorism in Kenya.⁶³

The NCTC is primarily focused on aligning CT operational needs with the country's national strategies and policies, identifying and consequently filling any gaps in CT, countering radicalization, building a strong preventive pillar of Kenya's CT strategy. The NCTC also champions bilateral and multilateral collaboration in CT.

The NCTC was incorporated in January of 2004, after a spike in attacks from Al Shabaab militants across the border. The transnational nature of this threat made it critical to have a

⁶² Counter Extremist Project, *Kenya's Extremism & Counter-Extremism*, Retrieved from https://www.counterextremism.com/sites/default/files/country_pdf/KE-08202019.pdf, Accessed on October 2nd, 2019.

⁶³ About The National Counter Terrorism Center, Retrieved from <http://www.counterterrorism.go.ke/about-us/>, Accessed on October 2nd, 2019.

centre to continually coordinate preventing and deterrent responses to these threats. The NCTC is an organ of the National Security Advisory Committee (NSAC) operating in the Office of the President. The participants and integral supporters are KDF, National Security Intelligence Service, Kenya Police, Provincial Administration, Ministry of Foreign Affairs, Immigration Department, Kenya Revenue Authority, Kenya Ports Authority, Kenya Airports Authority, Office of The Attorney General. The Director has the mandate to continuously evaluate and decide if there are additional State bodies that should be a part of the NCTC, and ask these bodies to attach officers to the NCTC.

In June of 2019, the President of Kenya signed into law an amendment to the Prevention of Terrorism Act, bringing into operation a requirement that all Civil Society Organisations (CSOs) and international NGOs to report to and seek the approval of the National Counter Terrorism Centre to undertake their work on prevention and countering violent extremism.⁶⁴ This amendment was not received well by the CSOs and NGOs who claimed that the NCTC would be overstepping its mandate. Such wide reaching inclusions are important because they bring all the CT efforts under one umbrella organization that can coordinate the various agencies that are involved in any CT work.

3.3. Kenya's Incursion into Somalia and Re-Hatting into AMISOM

On October 16th, 2011, the Kenya Defence Forces (KDF) crossed into the Somalia side of the border that Kenya shares with Somalia. This marked the first time since its independence in 1963 that the country's troops had invaded another country. This was an unprecedented

⁶⁴ Khalid H., *No Approval Needed to Prevent, Counter Violent Extremism*, The Star, Published on July 12th, 2019.

measure to protect Kenya's homeland, reciprocal to the equally unprecedented terrorism threat that the country was now facing.

Apart from the spate of terrorist bombing and grenade attacks in Kenya, there had been a wave of kidnappings committed by the Al-Shabaab militants and freelancing Somali criminals who had close association or a loose affiliation with Al-Shabaab. They had kidnapped tourists from their holiday villas in areas like Lamu that are close proximity to the Somalia border. The incursion into Somalia begun on a sad note because five weeks after Kenyan troops entered Somalia, gunmen crossed from the Somali side of the border into Kenya and abducted a two British nationals, two Spaniards and one French citizen who eventually dies in custody. Kenya mediated for a number of reasons: while the latest inter country threats acted as an instant trigger, alarm concerning the refugees' movement into the Kenyan land since the year 1990s; the concerns of the national security and the failing state northern Kenya region which is primary habited by pastoral communities who took an important part, as did individual financial and political welfares.⁶⁵ The Kenya Defence Forces top brass was eager to intervene and pacify the border area that the countries because this would give them a chance to test their well-equipped but war-green army.

The incursion into Somalia to directly confront the Al-Shabaab terror group was not without its hurdles and speed bumps. The militants did not confront the KDF in a conventional warfare manner. They instead resorted to guerrilla warfare, something that Kenya's troops were not trained in.⁶⁶ Experts have also opined that Kenya was apprehensive about the growing

⁶⁵ Throup, David W., *Kenya's Intervention in Somalia*, Centre for Strategic & International Studies, February 2012.

⁶⁶ International Crisis Group, *The Kenyan Military Intervention in Somalia*, February 15th, 2012, Nairobi/Brussels.

Ugandan military footprint in Somalia, threatening Kenya's position as the region's military powerhouse. The Ugandan President had been quoted before this referring to the KDF as a 'career army' and Kenya was out to prove that they could fight a war.

Terrorism was having a huge negative impact on Kenya's tourism which is a major foreign exchange earner for the country. Terrorism was thus having a direct negative effect on the economic health of the country. The militarizing of its foreign policy meant that the sitting government would stop at nothing to make the country safe from terrorism. The biggest challenge for the KDF was mounting an effective counter-insurgency against the militants who had resorted to guerrilla warfare, even using civilians as human shields, and civilians' installations like hospitals and schools as armouries and for defensive positions.

One of the most defining moments in this operation was in September of 2012 when the KDF captured the port city of Kismayo. This was a major source of revenue for Al-Shabaab and capturing it was intended to cut them off from their supply of finances to continue waging war. The attack was an amphibious one, with troops coming in from the air and the sea.⁶⁷ Apart from facing guerrilla warfare for which they were not prepared, the KDF also faced the problem of protecting their supply lines from attacks by Al-Shabaab militants. The distances between the different strategic cities that they were capturing since their incursion into the country were very far from each other, and this threatened to overwhelm their logistical capabilities. It was therefore a challenge to supply the forward deploying forces. The next problem that KDF faced in their onslaught against Al-Shabaab was the difficulty in winning the hearts and minds of the Somalis. Al-Shabaab commenced a campaign to label the KDF as

⁶⁷ Chonghaile, Clar Ni., *Kenyan troops launch beach assault on Somali city of Kismayo*, The Guardian, September 12th, 2012.

an occupying force, while the KDF were working hard to position themselves as liberators. The problem with the areas where Al-Shabaab had been commanding territory are out of reach of the Somali government's reach. The terrorist organization were the administrators of these regions, something that they were doing with a high degree of success.⁶⁸ Convincing the locals that the organization they have been relying on for order within their society was a terrorist organization was a very hard task. Sections of the local population were not accommodative to the KDF, undermining their task of liberating these areas from the stranglehold of Al-Shabaab.

3.3.1. The Kenya Defence Forces Re-hatting

In March of 2013, the KDF forces that were operating in Somalia were re-hatted to join the Africa Union Mission in Somalia (AMISOM). The Kenyan were to continue pursuing Al-Shabaab, but now under the African Union. KDF senior personnel were allocated sixteen slots out of the available eighty, meaning that the Kenyan forces were still commanding respect and their execution strategy was revered.⁶⁹ The re-hatting accorded Kenya the luxury of continuing with its CT operation against Al-Shabaab, but under new funding. AMISOM was being funded by the UN, and therefore Kenya was no longer bearing the financial burden of the CT was against Al-Shabaab, but was still very much in the fight. Military equipment needed for the mission was being supplied by the UN and used by KDF, and will be preserved by KDF

⁶⁸ International Crisis Group, *The Kenyan Military Intervention in Somalia*, February 15th, 2012, Nairobi/Brussels.

⁶⁹ Goldman, David, *AMISOM Benefits After Kenya Defense Forces Rehatting*, Strategic Intelligence, March 13th, 2012.

following the end of the AMISOM activities in Somalia. This will also reinforce the KDF with a few additional resources and abilities at the end of their incursion into Somalia.

AMISOM as a campaign against the deadly Al-Shabaab insurgency that was extending their terror campaign into the wider East African area was very unique because of the complex and inter-twined partnerships between several international organizations – highlighting a high-level inter-agency coordination across borders. The main international organizations at play are the AU, EU and UN. It was worth noting that there are six countries which contributed its soldiers to form AMISOM's troops, however, UN Support Office provided the logistical resources while peace keeping incentives were provided by EU as well as other forms of mission support. The United States gave several training and equipment, and thereafter unusual forces operations and air strikes.⁷⁰

3.4. Inter-Agency Cooperation in Combating Financing of Terrorism

The Financial Reporting Centre (FRC) is a Kenya government institution that was created by Proceeds of Crime and Anti-Money Laundering Act (POCAMLA) of 2009. This institution that was incorporated in 2012, is tasked with identifying the proceeds of crime and combating money laundering. The FRC has been co-opted into the Prevention of Terrorism Act of 2012, mandating the FRC with fighting terrorism financing.⁷¹

⁷⁰ Williams, Paul D., *Lessons Learned in Somalia: AMISOM and Contemporary Peace Enforcement*, Council on Foreign Relations, Retrieved from <https://www.cfr.org/blog/lessons-learned-somalia-amisom-and-contemporary-peace-enforcement>, Accessed on October 3rd, 2019.

⁷¹ About FRC, Government of Kenya FRC, Retrieved from <http://www.frc.go.ke/about-frc/mandate.html>, Accessed on October 3rd, 2019

The FRC coordinates the gathering of data regarding suspicious financial transactions from all financial and regulating institutions in the country. In addition to this, the FRC ensures compliance with international financial reporting standards, and application of best practice in anti-money laundering (AML) efforts. They are also at the forefront of fostering cooperation with other law enforcement bodies in the country to ensure that suspicious transactions are flagged and investigated. This is very important because terrorism relies very heavily on financial proceeds from crime in order to finance their deathly campaigns. Tightening the noose on loopholes that terrorists might utilize to launder money or illegally move money within a country or between countries goes a long way in boosting the CT efforts on Kenya.

Following the January 15th 2019 terrorist attack on the DusitD2 hotel complex in the capital city Nairobi, the ATPU focused part of their investigation on how the attack was funded. Media reports indicated that several bank employees were in the process of being charged with facilitating a terrorist attack through negligence or disregard of AML procedures.⁷² Monetary organizations are expected to have explained approach advocating one to know the client so that they are able to identify potentially high-risk individuals. The emphasis should be directed towards enhancement of the fundamental evaluation on the potential of clientele which is a risk prone summarising approach must seizure red flags on recognized terrorists; assess on public domain the accessible information to categorize other relevant information, for instances posting on the social platforms, that elevate radicalism; and authenticate huge money transactions.⁷³

⁷² Oelofse, Willie, *Legal Alert | Reducing the Risk of Financing Terrorism*, Africa Legal Network

⁷³ Oelofse, Willie, *Legal Alert | Reducing the Risk of Financing Terrorism*, Africa Legal Network,

Transaction monitoring is another valuable tool that is utilized in combating financing of terrorism. This is best done by using artificial intelligence machine systems to evaluate the plethora of financial transactions that need to be evaluated. Any notable red flags should be checked and validated against the rules that have been set on daily transaction limits, cash withdrawal and deposit limits or any other unusual account activity. The current challenge that the FRC and other similar institutions is that the banks are focused on preventing non-compliance rather than actual pro-active monitoring of their system to prevent financing of terrorism.

3.5. Border Control as part of Counter-Terrorism Efforts in Kenya

Border control is the sum total of the raft of measures that a country uses to monitor and control legal cross-border movement for people and goods without a detrimental effect on the country's security. Border control in Kenya is managed by the Kenya Police, in coordination with other State agencies like Immigration and Customs. The effective performance of border control measures rests on the continuous coordination between all these State agencies and all the departments that are seconded to border control points.⁷⁴ Border control is a constant balancing act between granting access and maintaining the security of the homeland.

Border security in Kenya is split into three facets or categories. The first involves all the East African Community member countries that have issued their citizens with the common EA passport. This level of border control also seeks to attain common service levels on all the

⁷⁴ United Nations, Fifth Special Meeting of the Counter-Terrorism Committee with International, Regional and Sub-Regional Organizations on Border Security, UN Security Council Counter-Terrorism Committee, October 2007, Nairobi, Kenya.

common border points. The second facet of border control in Kenya involves controlling the borders that the country shares with countries that are not members of the East African Communities. These are Ethiopia and South Sudan. These two borders have not had any issues as relates to terrorism threats. They have been relatively peaceful borders, with the only notable activity being the inflow of refugees running from civil war in South Sudan.

The third facet of border control in Kenya involves border control at the border that Kenya shares with Somalia. There are a lot of resources that have been allocated to the manning of the border that Kenya shares with Somalia. The reason for this is the problems that this border poses to the national security of Kenya. The government views this border as a border she shares with a country that has no functional central government that is recognized by all the citizens.⁷⁵ The post-9/11 world requires that countries constantly review their border control mechanisms to counter the threat of terrorism. Immigration rules have been tightened especially on the Somalia border to counter the peculiar situation of having to share a border with a country that has no functional government authority.

The reason that the border with Somalia poses a unique challenge to Kenya's security is because all the persons, vehicles, aircraft and sea vessels departing Somalia to any point in the world are not subject to the kind of thorough scrutiny like we see in countries with fully functional governments. This loophole has been utilized by Al-Shabaab terrorists to sneak into Kenya to recruit and carry out attacks. The lack of a functional government in a neighbouring

⁷⁵ United Nations Fifth Special Meeting of the Counter-Terrorism Committee, *Speech by the Kenyan High Commissioner for Security and Border Control*, UN Security Council Counter-Terrorism Committee, October 2007, Nairobi, Kenya.

country is an unprecedented challenge that very few countries in the world have had to deal with.⁷⁶

Kenya utilizes an integrated approach to border control as a counter-terrorism strategy. There is high level coordination between all the agencies that are involved in border control. There are clear standard operating procedures that delineate functions and communication channels amongst the various agencies at border points that have different functions, but all these functions have common objective of stopping cross-border crime.

There is a sharp focus placed on detection of the use of forged, counterfeit or stolen travel documents. Suspects known to the law enforcement community are profiled in coordination with agencies like Interpol to root out those involved in cross border organized crime like human trafficking, narcotics and terrorism. The government has also invested in technology to improve the process and achieve efficiency in screening of persons crossing the borders. The screening involves accurate identification of every person coming into or going out of Kenya, and extends to all cargo leaving by road, sea or air. This screening is also aimed at detecting weapons and explosives that terrorists may attempt to smuggle into the country.

Border control as a CT measure has not been without its challenges. The technology of choice in people screening is the use of biometrics. Few countries in the world, if none, have a fully populated biometric entry-exit system that has all their citizens registered on it. These systems are expensive and training of personnel to man and operate them takes a long time and a lot of financial resources. The border with Somalia is extensive and the financial and human

⁷⁶ Bar, Joanna. "The Problem of Islamic Terrorism in Kenya in Terms of Regional Security in East Africa." *Politeja*, no. 42 of 2016: Pages 147-64.

resources allocated to secure it are stretched thin. This is done with no input from the Somalia side because there is no central government that is able to administrate in the entire country.

The most recent additional effort to pacify the border area between Kenya and Somalia was the building of a 700-kilometre wall along that border. The construction of this wall was announced after the terrorist attack on Garissa University where 148 Christian students were killed.⁷⁷ Experts have expressed concern that the wall will only serve to deter the sporadic attacks from isolated gunmen, and will not deal with the bigger issue of a large radicalized base from which Al-Shabaab can continually draw its ranks from.⁷⁸ The progress of the work on the wall has however stalled amidst allegation of graft. In March of 2019, it was revealed that only ten kilometres out of seven hundred kilometres was complete, yet more than three billion Kenya shillings had been spent.⁷⁹ This represents a 1% completion of the wall against 50% of the total budget that had been allocated. Skeptics have also questioned the wall's effectiveness in stopping Al-Shabaab militants from launching terrorist attacks in Kenya, given that it has been proven that the militant group has sleeper cells within the country's borders.

3.6. Cooperation Between Kenya and her Regional and Other Foreign Allies

Kenya relies on her foreign allies to advance her CT efforts in the Horn of Africa. As discussed earlier in this research paper, Kenya Defence Forces crossed into the border with Somalia in order to confront the Al-Shabaab threat head-on. They later re-hatted to join

⁷⁷ Galvin Mac, *Combating Terrorism on the Somalian Border: The Improbable Kenyan Dream?* The Graduate Institute Geneva, March 2015.

⁷⁸ See Galvin Mac

⁷⁹ Odhiambo Moses, Stalled Somalia border wall sparks graft fears, The Star, Published on March 14th, 2019..

AMISOM, the largest peace keeping operation that the African Union has ever undertaken. By re-hatting, Kenya had joined efforts with her regional allies in fighting terrorism in the region.⁸⁰ By the time Kenya joined AMISOM, Uganda's armed forces were already on the ground in Somalia operating under the AMISOM banner. Other countries that Kenya was now fighting alongside were Malawi, Nigeria, Burundi, and Tanzania.⁸¹

Kenya has also joined hands with various UN agencies in CT. Kenya has worked with the UN Office on Drugs and Crime (UNODC) to reduce incidences of terrorism, financing of terrorism, and money laundering in Kenya.⁸² The main objective of this cooperation is to strengthen Kenya's capacity for more effective and comprehensive prevention, investigation and prosecution of terrorism cases. This effort is extended to cover prevention and detection of terrorism financing and anti- money laundering in Kenya. The strategy of this cooperation is two-phased. The first phase is aimed at assisting in the development of national CT and AML policies, to bring them into alignment with international standards. The second phase involves assisting Kenya to implement these legislations to combat CT financing and AML. Implementation efforts include the establishment of the Financial Reporting Centre (discussed earlier in this research paper) and the training of in-country financial institutions like banks on the implementation of the CT legislation. Beth Whitaker argues that one reason that a state may conform to the global CT system is that its leaders have self-confidence in their nation is

⁸⁰ Sarah Detzner, *Modern Post-Conflict Security Sector Reform in Africa: Patterns of Success and Failure*. African Security Review (2017) 26:2, pages 116-142.

⁸¹ AMISOM, African Union Mission in Somalia, Retrieved from <http://amisom-au.org/>, Accessed on October 3rd, 2019.

⁸² UNODC, *Strengthening Counter-Terrorism Capacity For A Safer Kenya*, Ongoing Projects in Eastern Africa,

a promising target. The higher endangered leaders feel by terror activities challenges, the more probable they are to implement CT measures.⁸³

The presence of western-owned business and diplomatic interests in Kenya owing to its stable outlook means that most G8 countries have a strategic interest in the country. Kenya is therefore a strategic partner for several of the developed countries in security issues, particularly in security. A prime example is the United States, whose embassy housed on Kenyan soil was attacked in 1998. As such, there is deep cooperation between Kenya and the United States. Kenya actively cooperates and coordinated with the United States, Britain and other countries in areas like increasing border control capability, professionalizing the Kenyan military, increasing maritime awareness, and augmenting peace keeping capabilities.⁸⁴ After the 1998 bombing Kenya strengthened its intelligence gathering institutions, and give to the US Anti-Terrorism Assistance Program who gave training over 500 polices in Kenya. As a result of aids provided by US through training and finances and particularly the \$100 million East African CT Initiative (EACTI) unveiled in 2003, the Kenyan government recognized the Anti-Terrorism Police Unit (2003), the Joint Terrorism Task Force (2004), the National Counter-Terrorism Centre (2004), and the National Security Advisory Committee (2004). These initiatives were envisioned to increased Kenyan forces ability to conduct probe on terror issues, detect cells, organize law enforcement, and avoid attacks in future.⁸⁵

⁸³ Whitaker, Beth Elise. Compliance Among Weak States: Africa and the Counter-Terrorism Regime, Review of International Studies, No. 36 of 2010, Pages 639-662

⁸⁴ US Department of State, *U.S. Relations With Kenya*, Bureau of African Affairs, Retrieved from <https://www.state.gov/u-s-relations-with-kenya/>, Accessed on October 3rd, 2019.

⁸⁵ Whitaker, Beth Elise. *Reluctant Partners: Fighting Terrorism and Promoting Democracy in Kenya*, International Studies Perspectives 9, no. 3 (2008): 254-71.

In the Sixth Committee of the seventy third United Nations General Assembly held on October 4th 2018, the Political and Diplomatic Secretary in Kenya's Foreign Ministry voiced his country's support for a global network of counter-terrorism centres.⁸⁶ He further added that Kenya had endorsed and tamed all global agreements against multinational prearranged crimes and is executing appropriate Security Council purposes on fighting extremism.⁸⁷ To increase Kenya preparedness in combating terror attack, Kenya announced a joint visit by CT UN office, the Terrorism and the UN Counter, Terrorism Committee Executive Directorate. This was an implication that UN is so open to incorporate other countries and also increase the coordination of prevailing cooperation with United Nations interventions working in this field.⁸⁸

3.7. Chapter Three Conclusion

This chapter was examining the effectiveness of inter-agency coordination in counter-terrorism in Kenya. The country was thrust into the middle of the counter-terrorism war at the turn of the 21st Century, when the US Embassy in Kenya was targeted by Al-Qaeda in a twin-bombing that also saw the US Embassy in Dar-Es-Salaam bombed. These attacks came at a time that Kenya's security and Intelligence apparatus were poised for a re-organization to adopt an inter-agency coordination approach to fighting the new threat of terrorism that the world was now facing. The year preceding these attacks was an election year in Kenya, and therefore the government's priorities were focused on its incumbency and not so much on optimizing its

⁸⁶ United Nations General Assembly, Meetings and Coverage of the 73rd Session, October 4th, 2018.

⁸⁷ *ibid*

⁸⁸ *ibid*

security organs to fight a threat that was not yet seen as present. The 1998 attacks on the US Embassy in Nairobi happened before this reorganization was achieved, and therefore Kenya suffered a terrorist attack.

The first step in activating an inter-agency approach in fighting terrorism in Kenya came five years after the 1998 attacks. The National Counter-Terrorism Centre was enacted by Parliament. This body has a legal mandate to achieve the coordination of Kenya's CT determinations so as to identify, and interrupt terrorism acts. Its stakeholders and constituent agencies are all the Kenyan forces serving Kenyans entry points such as ports, the government department such as immigration and the attorney general office. The Director has the mandate to continuously evaluate and decide if there are additional State bodies that should be a part of the NCTC, and ask these bodies to attach officers to the NCTC.

Kenya also took the fight to Al-Shabaab backyard with an incursion into Somalia first to pacify the porous border that Kenya shares with Somalia, and further to attack the strongholds of the militant group and neutralize their capabilities of mounting an attack. The biggest challenge for the KDF was mounting an effective counter-insurgency against the militants who had resorted to guerrilla warfare, even using civilians as human shields, and civilians' installations like hospitals and schools as armouries and for defensive positions. In March of 2013, the KDF forces that were operating in Somalia were re-hatted to join the Africa Union Mission in Somalia (AMISOM). The Kenyan were to continue pursuing Al-Shabaab, but now under the African Union. The re-hatting accorded Kenya the luxury of continuing with its CT operation against Al-Shabaab, but under UN and EU funding.

Kenya has also instituted stringent measures to combat the financing of terrorism. The Financial Reporting Centre (FRC) was created by Proceeds of Crime and Anti-Money

Laundering Act (POCAMLA) of 2009. This institution coordinates the gathering of data regarding suspicious financial transactions from all financial and regulating institutions in the country. They also coordinate with other agencies in the country to ensure that suspicious transactions are flagged, reported and investigated. They also enforce the compliance with international anti-money laundering checks and procedures. This ensures that the Kenyan banking network is not wrongfully used to channel money that will be used for terrorist attacks.

Kenya also has a multi-agency force controlling movement at its borders, further enhancing the effectiveness of inter-agency coordination in fighting terrorism. Border control is a constant balancing act between granting access and maintaining the security of the homeland. In Kenya, the borders are managed by the Kenya Police, in coordination with other State agencies like Immigration and Customs. The effective performance of border control measures rests on the continuous coordination between all these State agencies and all the departments that are seconded to border control points. The Somalia border poses a peculiar challenge because of the absence of a functional government recognized by all its citizens. The reason that the border with Somalia poses a unique challenge to Kenya's security is because all the persons, vehicles, aircraft and sea vessels departing Somalia to any point in the world are not subject to the kind of thorough scrutiny like we see in countries with fully functional governments. This loophole has been utilized by Al-Shabaab terrorists to sneak into Kenya to recruit and carry out attacks.

Kenya also engages in State-to-State inter-agency coordination in the fight against terrorism. Intelligence sharing with foreign allies with whom the country has partnered with in CT is a mainstay and standard procedure. These countries (e.g. western developed countries, Israel) have political and economic interests in Kenya that have often been targets of attacks

by Al-Shabaab. Kenya has been part of the U.S. Anti-Terrorism Assistance Program which has seen it train police officers, form the ATPU, form a Joint Terrorism Task Force with the United States and UK. The NCTC was also formed as part of the assistance program. These initiatives were intended to improve Kenya's capacity to identify, neutralize and prevent terrorist attacks.

CHAPTER FOUR: APPROPRIATE COUNTER-TERRORISM STRATEGIES FOR AFRICA AND KENYA

4.0. Chapter Four Introduction

As mentioned in the previous parts of this research paper, Kenya is at the forefront of the CT work on the Horn of Africa region, partly due to the country being a prime target for terror campaigns by the Somali-based Al-Shabaab militant group. The country is also a strategic CT partner for Western countries who have economic and political interests in Kenya and therefore are themselves targets of Al-Shabaab's terror attacks. It is therefore imperative that Kenya is actively neutralizing all terrorism threats that are detected, and prevent those that are in any stage of planning from actually taking place. This chapter examines the most appropriate CT strategies that Kenya and the African continent can employ to keep terrorism threats at bay, thereby safeguarding the country's security and stability.

4.1. Countering Violent Extremism and Radicalization Among Youth

In the introduction of this research paper, terrorism was defined as the use of overt violence to impose a political or social objective by intimidating a bigger audience or government. Political or religious extremism does not develop in a vacuum, but rather there is a radicalization process that starts in very subtle ways and preys on the social instabilities that recruits are facing. Simona and Hortensia refer to radicalization as to a alter beliefs, moods, and conducts that validate intergroup violence and the claim for sacrifice in protecting the

group that one belong.⁸⁹ Castan Bott assumes the definition that radicalization is the act of embracing terrorist values that provision violence as a way to influence change in the society.⁹⁰

As mentioned earlier, radicalization is a process and not a point-in-time occurrence. This process often follows a pyramidal model, where at the bottom lies the members of a community that are potential targets for radicalization. The second stage comprises those amongst this community that are vulnerable to radicalization. The third level are those who cross the line and become radicalized. The fourth and final stage are those who take this radicalization to overt levels and go on to break the law, often carrying out terrorist attacks. On the African continent, radicalization has followed this model. In Nigeria, Boko Haram has targeted communities that have been alienated by the government in terms of resource distribution and economic development, as they make for soft targets. Freedom Onuoha states that Boko Haram lures its followers primarily from dissatisfied youth, unemployed high school and college graduates and destitute children.⁹¹

In Kenya, youth from marginalized communities have formed for easy targets for Al-Shabaab. Most the recruits come from the Somali community in Kenya who are mostly found in the North-Eastern Province (NEP) of the country. This is an area that has been neglected by successive governments since the country gained independence. Simple matters like acquiring of national identification cards are not so easy to achieve in this section of the country. Without

⁸⁹ Trip, Simona, Bora, Hortensia Carmen, Marian, Mihai, Haljman, Angelica, Drugas, Loan Marius; *Psychological Mechanisms Involved in Radicalization and Extremism. A Rational Emotive Behavioral Conceptualization*, *Frontiers in Psychology* March 6th, 2019, Page 437.

⁹⁰ Bott, C., Castan, W. J., Lark, L., and Thompson, G., *Recruitment and radicalization of school-aged youth by international terrorist groups*. Arlington, VA: Homeland security Institute, 2009.

⁹¹ Onuoha C. Freedom, *Why Do Youth Join Boko Haram*, United States Institute of Peace Special Report 348, June 2014, Page 3.

a national identification card, one cannot be employed, access to government services is greatly hindered, and in some instances ability to travel is curtailed. The communities residing in the NEP and along the Kenyan coast are predominantly from the Muslim faith. This fact alone has meant the greatest difficulty in obtaining identification cards. One big conundrum that has faced these youth is that they are required to present a Certificate of Good Conduct in order to apply for an identification card, yet to apply for a Certificate of Good Conduct, you need an identification card.⁹² Police forces on counter-terrorism operations have been known to take advantage of this to harass and carry out raids in these neighbourhoods with high-handedness and unnecessary brute force since everyone is deemed a suspect. This has locked out a big number of eligible youth, leading to disconnection from the Kenyan society and demonizing the government that has allegedly neglected them. The Al-Shabaab militant group swoops in and gives them recognition, purpose, identity and a livelihood. They then inculcate their (Al-Shabaab's) radical ideologies and beliefs and this completes the radicalization process.

To effectively counter this, the governments of African countries with such a problem like Kenya and Nigeria must take very deliberate steps to counter radicalization among the vulnerable sections of their populace. There is no single government agency that can achieve de-radicalization on its own. An inter-agency effort is one way to sort out this problem. For instance, in Kenya, intelligence-led policing that is based on investigation, documentation, analysis and dissemination of police intelligence to inform and direct the deployment and undertaking of arrests. This is contrary with the use of brute force dependent on an individual officer's suspicions that unlawful happening to influence police response.⁹³ It is also critical to

⁹² Kenya National Commission on Human Rights, *Youth Radicalization in the Coastal Region*, Nguzo Za Haki, Issue 12, June 2016, Page 14.

⁹³ Kenya National Commission on Human Rights, *Youth Radicalization in the Coastal Region*, Nguzo Za Haki, Issue 12, June 2016, Page 18.

address any historical injustices that have been carried down through successive governments. This will promote inclusion of the marginalized communities into the national economic agenda and it will minimize the alienation that sets the stage for radicalization.

The government must have continuous counter-radicalization messages that are disseminated and directed to vulnerable sections of its populace. For instance, some of the radicalization messages that Al-Shabaab have used in the Kenyan coastal region are that National Youth Service recruits from the Coast are meant to only collect garbage while their counterparts in other parts of the country gain useful skills in the training institutes, that students from the coast are allocated lower thresholds of student loans, or that the government has active measures to reduce the Muslim population in Kenya. The government should coordinate its counter-terrorism programmes and community based organizations to communicate the correct and true position on these issues in order to counter and neutralize the radicalization messages that these vulnerable youths are bombarded with.

A de-radicalization program needs to be firmly in place to deal with youth who are returning from Al-Shabaab camps. These are people who could be a useful resource towards de-radicalization efforts as part of the country's CT work.

4.1.1. NCTC's Citizen Support Mechanism to Counter Violent Extremism

The National Counter-Terrorism centre also runs a Citizen Support Mechanism to counter and prevent violent extremism. As the coordinating agency for the National Strategy to Counter Violent Extremism (CVE), it enables building of partnerships that have value addition to CVE. Primary goal of the National strategy for CVE is convention to all the sectors in the country from social, religion and economic wellbeing insistently and unceasingly withdraw

from terror related principles and goals so as to minimize pool of persons who are ease target of terror group.⁹⁴

4.2. Strengthened Intelligence Gathering and Information Sharing

Counter-terrorism in Africa has become a focus for the AU and the UN because international terrorist networks have extended their tentacles to Africa and are forming allegiances with the extremist groups already present on the continent. The Global Terrorism Index places Kenya at position 19, just ahead of the USA at position 20.⁹⁵ These positions indicate the levels of impact of terrorism on a particular country.

Kenya continues to enhance its inter-agency coordination in information sharing to bolster its CT efforts. In 2017, Kenya signed a contract with the US to implement the Automated Targeting System-Global to promote sharing of spread Passenger Information for air travellers.⁹⁶ Further, they have established inter-agency Joint Operations Centres at various ports of entry throughout the country as well as border points. These Joint Operations Centres are aimed at promoting information sharing and maintain an active traveller screening programme in partnership with the US. The traveller screening makes use of the Personal Identification Secure Comparison and Evaluation System (PISCES).⁹⁷ Kenya immigration also updates and shares government watchlists to make sure that wanted individuals or those

⁹⁴ National Counter-Terrorism Centre, *National Strategy to Counter Violent Extremism*, September 2016. Retrieved from <https://citizensupport.go.ke/about/>, Accessed on October 9th, 2019.

⁹⁵ Vision of Humanity, Global Terrorism Index, Retrieved from <http://visionofhumanity.org/indexes/terrorism-index/>, Accessed on October 9th, 2019.

⁹⁶ UNHCR, Country Reports on Terrorism 2017, Published by the United States Department of State, September 19th, 2018.

⁹⁷ See UNHCR Country Reports on Terrorism 2017.

suspected of having ties to terrorism are apprehended and not allowed to freely move into and out of the country.

4.3. Risk Reduction Counter-Terrorism Strategies

Risk reduction in counter-terrorism is a process that involves identifying, assessing, and mitigating the risks of a terrorism-related calamity.⁹⁸ Risk reduction is aimed at reducing and/or minimizing the public's exposure to the main risk factors that come with terrorist attacks. There are four main risk factors that the public is exposed to in any terrorist attack. These are explosions/arson/armed attacks, biological/nuclear attacks, cyber-attacks and illegal surveillance.

It befalls the government to protect their citizens from exposure to all of the above risks. This has been done by ensuring that there are risk management strategies in place to minimise the likelihood of the above mentioned hazards from occurring. A risk management strategy may devolve to alleviate those incidences inducing the risk and maybe inspire those issues that lower the risk.⁹⁹

Kenya and the rest of Africa could decrease the possible incidents of terror attack if they decreased the possible risk of terror attack. This could be done through disruption terror groups from recruiting new members from the society, penetration security agencies to these groups, interruption of its ability to acquire weapons, capture of group members and reinforcement

⁹⁸ Mogire E., Agade K. M., Counter-Terrorism in Kenya, *Journal of Contemporary African Studies*, Issue 29, Vol. 4 of 2011. Pages 473-491

⁹⁹ Roberts, K., Horgan, J., *Risk Assessment and the Terrorist*. Perspectives on Terrorism, North America, 2, November 2010.

defences against terror activity. Operations involving any of these factors should be carried out with stealth and be surgical in nature to mitigate against a retaliatory attack against the general public.

CT efforts in Kenya specifically encourage issues that help to reduce risk. These comprise of provision of encouragement and convincing and the wider Kenyan society to report suspicious activity, persuading disillusioned societal members not to join terror groups (and acting on the factors that may lead to them considering joining a terror group), and increasing the prizes of not take part in terror activity. It is thus desirable that risk valuation be understood in line risk management where risk valuation requires the hazard and factors associated to its happening and a tactic is formulated to moderate or shield against it.¹⁰⁰

4.4. Community Policing as a Counter-Terrorism Tool

Community policing is a strategy that focuses on law enforcement building very close ties with the community that they are charged to protect. It is theorized by experts that this is achieved partly by having law enforcement work continuously work in one area in order to create a strong bond with the section of a population that lives in that area. Community policing is generally intended to prevent a crime before it takes place and opposed to responding to one after the fact. Community policing is a practice that allows residents of a particular area to determine which crimes are affecting them the most. What this does is that it allows law enforcement to prioritize their activities to respond directly to the issues that the area residents feel affect them the most.

¹⁰⁰ See Roberts, K. Horgan et al

In Kenya, community policing has been lauded as a contributing factor in the slump in terrorist activity and general insecurity as from 2014.¹⁰¹ Apart from reporting crimes like violent robbery and drug dealers, they have also given information that has led to the nabbing of terrorists. In 2017, the country's senior most official on community policing reported that the citizens-based policing had been a success in the recent past as was evidenced by a decline in terror attacks and other forms of security threats in the country.

There has been inter-State cooperation in the financing of community policing in Kenya. This cooperation has seen increased budget allocation to community policing. This funding has seen communities in far-flung and volatile regions being empowered with knowledge and modern technology to enable them detect and report security threats on real time basis to the concerned authorities.

The theory behind community policing as a counter-terrorism strategy is to create a non-conducive environment for terrorists. It provides eyes and ears for law enforcement who may not have enough resources to cover a whole jurisdiction at the same time. In areas with weak or fraudulent police officers, or too permeated to be reliable, community policing can take on independent working scopes, in the form of local defence forces, tribal guerrillas, or even vigilantism. Besides, since security is a high-value service in weak states, public policing can also become a business, in the form of certified private security companies.¹⁰²

¹⁰¹ Zhang Dongmiao, *Kenya hails community policing for a slump in terrorism, insecurity*, Xinhua Africa, Published on April 10th, 2019.

¹⁰² Menkhaus, K., *Can Community Policing Combat Al-Shabaab?* International Peace Institute, July 7th, 2014.

4.4.1. Kenya's Nyumba Kumi Initiative as a Counter-Terrorism Strategy

In the International Meeting on Counter-Terrorism was held in Nairobi on July 2019, the UN Secretary General António Guterres stated that the role of local communities and their leaders in the fight against terrorism should not be lost. He further noted that Kenya had installed the Nyumba Kumi initiative which encourages citizens to know their neighbours and report any suspicious activities to police.¹⁰³

Nyumba Kumi translated to “Ten Houses”. The initiatives encourage citizens to group their dwellings in clusters of ten households, so that they can know exactly who lives amongst them and what they do. Such a close-knit clustering would form for a hostile environment for any criminal activity and make any suspicious individuals stand out. This makes it easier to report them to law enforcement. These clusters of ten households hold weekly meetings to discuss security issues of the past week, and it is here that any suspicious activity witnessed by any dweller is reported and discussed. The planning of most terrorist attacks is normally done in rented homes where the bombs are made and assembled. Such activity will usually have a distinct signature like full-time drawn curtains, movement in and out of the house during odd hours, recluse occupants of said household, hostile towards neighbours seeking to know more about them and so on. The Nyumba Kumi initiative if properly implemented is able to evaluate such information and determine whether it constitutes a security threat. If it is deemed as a security issue, it is reported to the relevant law enforcement authorities. Koigi, a scholar who has studied this initiative reports an incident where a cluster group noticed a group of distrustful

¹⁰³ Obonyo, Raphael, States should join hands to fight terror, The Standard, Published on July 10th, 2019.

youths who frequented a particular home in day time carrying bags. The community alerted the police who capture the home and got several firearms and ammunitions.¹⁰⁴

The Nyumba Kumi initiative has however ran into hurdles, mainly because it is perceived as just one of many ineffective government projects. Some sections of the public may view it has the police having the public do police work. This has delayed the realization of the perceived benefits of the community policing initiative that is Nyumba Kumi. The consternation that the general public has is regarding the ability of the police to protect them from ‘normal’ crimes, yet the same police service is asking them to help them fight terrorism.

A proper implementation of the Nyumba Kumi initiative and other community policing projects would help the government stay ahead of the terrorists because they would no longer be able to hide in plain sight among the general public. State-focused inter-agency coordination alone will not be sufficient in smoking out the terrorists and extremists out from among the general public.

4.5. Chapter Four Conclusion

In this Chapter, it has been determined that radicalization towards violent extremism is a process that takes time, and preys on the structural inequalities in a society to gain new recruits. Radicalization has been defined as the act of embracing extremist beliefs that support violence as a method to effect societal change. On the African continent, Boko Haram and Al-Shabaab, the two most prominent terrorist outfits have used radicalization as a tool to fill their ranks. In Nigeria, Boko Haram has targeted communities that have been alienated by the government in

¹⁰⁴ Koigi, Bob, *How Kenya's Ten Houses Concept Is Taming Crime and Terrorism*, Fair Planet, April 27th, 2016. Retrieved from

terms of resource distribution and economic development, as they make for soft targets. In Kenya, Al-Shabaab hunts for recruits from the Somali community in Kenya who are mostly found in the North-Eastern Province (NEP) of the country, an area that has been economically neglected by successive governments since the country gained independence. Deliberate counter-radicalization programmes are a vital tool in counter-terrorism in Africa, and Kenya is particular. The government must have continuous counter-radicalization messages that are disseminated and directed to vulnerable sections of its populace

Information and/or intelligence sharing amongst law enforcement involved in various CT roles is vital for a successful CT programme in any country. Kenya has greatly enhanced its inter-agency coordination in information sharing to bolster its CT efforts. Kenya has established inter-agency Joint Operations Centres at various ports of entry throughout the country as well as border points, with a mandate to share information with all relevant agencies and maintain an active traveller screening programme

Community policing has been a vital tool in countering terrorism in Kenya and on the African continent. In Kenya, community policing has been lauded as a contributing factor in the slump in terrorist activity and general insecurity. Budgetary allocation to community policing has been increased to support the ‘Nyumba Kumi’ initiative, an initiative that encourages citizens to group their dwellings in clusters of ten households, so that they can know exactly who lives amongst them and what they do. This initiative has led to rooting out of criminals and terrorists from places where they go to hide in plain sight.

CHAPTER FIVE: DATA ANALYSIS AND PRESENTATION

5.0. Chapter Five Introduction

This chapter discusses the findings of the study which analyzed inter-agency coordination as a critical component of the fight against terrorism in Kenya. The interviews were done with members of ATPU, NCTC, Private Security and the FRC. The main thrust of the study was to assess the level of, and challenges faced as various agencies seek synergize and work in cohesion with a common goal of preventing and neutralizing terrorism threats. Data collected was aggregated and the findings used to draw up various reports. Findings from open-ended questions were reported as verbatim in prose. The researcher used frequency tables, figures and qualitative content analysis to present data.

5.1. Performance of Counter-Terrorism in Africa

Counter-terrorism in Africa has come a long way in the last ten years. Countries that faced terrorism threats at the turn of the century did not respond as quickly as they should have in terms of re-looking at their security policies and apparatus and aligning them to the new and emerging threat to their security.¹⁰⁵ All the respondents interviewed for this research project agreed that achieving inter-agency coordination and reaping the benefits off of it took longer than it should have when the threat of terrorism became a reality for Africa.¹⁰⁶ Part of the reasons for the slow re-organization of their security set-ups was lack of funds. These countries had to reorganize their budgetary allocations and increase their spending on security. The turn-

¹⁰⁵ Interviewee 3 - ATPU

¹⁰⁶ Interviewee 1 - Private Security, Interview

around time in their respective legislative bodies took too long.¹⁰⁷ Before these most security agencies were working in silos and there was not that much focus on counter-terrorism measures in the magnitude we find them today.

After the continent woke up to the threat of terrorism, the respective governments have taken huge strides in keeping terror attacks at bay. The trauma from terrorism that has affected tens of thousands of victims on the continent has caused long-term damage to families and communities. The UN Secretary General has been quoted saying that Africa stays determined to find a lasting solution to the terrible scourge of terrorism.¹⁰⁸ Notable CT campaigns in Africa that are continually responding to the threat on the continent are AMISOM in Somalia to fight Al-Shabaab, MINUSMA in Mali to fight the insurgency in that country, G5 Sahel Joint Force working in West Africa, and the Multinational Joint Task Force against Boko Haram.¹⁰⁹ These missions have been hailed as a success. AMISOM in Somalia has been hailed as a mission that has restored peace and stability in Somalia, supported the re-building of Somalia's State institutions and continues to assist the country's security forces capture more ground from Al-Shabaab. The more ground Al-Shabaab lose, the weaker they become since they are deprived of territory where they can re-group and mount counter-attacks.¹¹⁰ In this regard, AMISOM can be classified as a mission that continues to be successful in terms of fighting terrorism on the African continent.

¹⁰⁷ Interviewee 2 - NCTC

¹⁰⁸ Interviewee 3 - ATPU

¹⁰⁹ Interviewee 5 - KDF

¹¹⁰ Interviewee 5 - KDF

Data collected from the interviews indicated that generally, Africa was making progress in the fight against terrorism. The key thing is to make sure that the strategies in place are adaptable because terrorists tend to be nimble in their tactics and movement.¹¹¹ In Somalia, the presence of AMISOM has not only helped suppress the threat from Al-Shabaab, but has enabled an environment that can accommodate recovery and liberation of the country. The citizens of the country now have a chance to rebuild their country into what it once was before the civil war broke out.¹¹² Further afield in Nigeria, the Joint Task force is also gaining ground against Boko Haram, albeit at a slower pace that was anticipated. They have recently launched attacks in countries like Chad and Cameroon where Boko Haram was gaining more ground. The fact that they were able to capture back areas that the terrorist group had laid claim to shows that the military offensive strategy as part of inter-agency response to terrorism in Africa is recording successes day by day.¹¹³

The Kenyan public's support for the incursion into Somalia was also found to be high. 75% of general public members interviewed indicated that they are supportive of Kenya's presence in Somalia.¹¹⁴ Reasons for this support were that they are keeping the country safe by fighting Al-Shabaab, and they are helping put up a government in that country, which will bring more stability to the region. The panellists further indicated that the perceived stability will be good for Kenya in terms of its economy especially tourism and foreign investments.¹¹⁵

¹¹¹ Interviewee 2 - NCTC

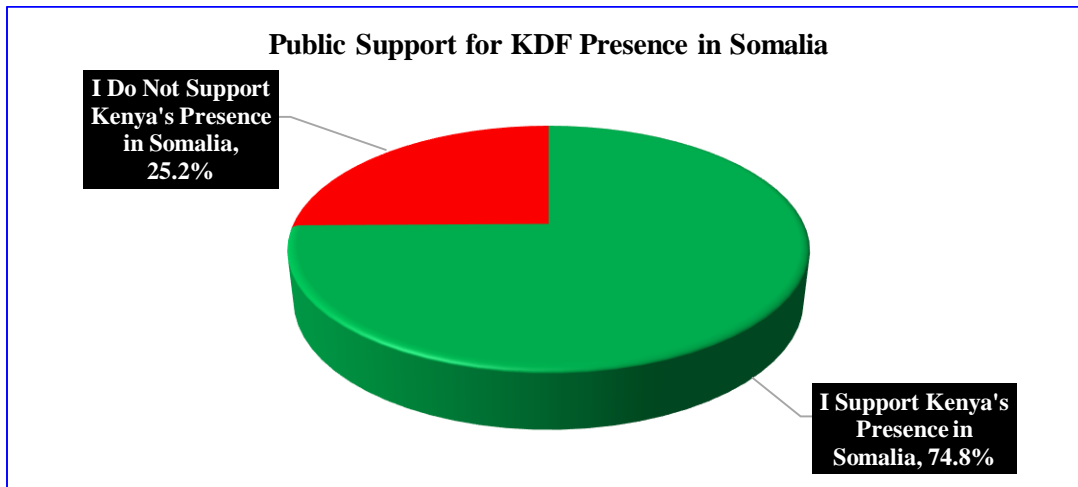
¹¹² Interviewee 5 - KDF

¹¹³ Interviewee 5 - KDF

¹¹⁴ Interviews from General Public

¹¹⁵ Interviews from General Public

Figure 1: Public Support for KDF Presence in Somalia



Source: Researcher's Primary Data (Sample: n=80)

The respondents were further asked about their opinion on what they deemed as successful counter-terrorism strategies in Africa. The respondents revealed that there is a lot of work that goes behind identifying which targets in the field will be subjected to a preventive or pre-emptive military strike or a counter-terrorism operation.¹¹⁶ Improved coordination between multiple agencies is bearing fruit for the counter-terrorism efforts in Africa. Interviewee 2 from NCTC stated:

“...Inter-agency coordination is a window that offers a glimpse into the world of terrorists. It allows for the authorities to approach a potential terrorist threat from multiple angles, allowing them to learn about the behavioural, operational and ideological patterns that terrorists exhibit. This increases the chances for threat neutralization.”¹¹⁷

¹¹⁶ Interviewee 2 - NCTC

¹¹⁷ Interviewee 2 - NCTC

The challenges that CT efforts face in Africa were also explored in this research project. Funding and lack of the highly specialized skills needed for CT was a challenge that featured prominently amongst all the respondents. Interviewee 2 from the NCTC stated that:

“...Most African countries are relying heavily on Western allies for aid directed towards CT. This aid comes in terms of programme financing, capacity building, infrastructure and operations. Most African countries have diverted funds meant for development and channelled them to counter-terrorism. Even with this, there is still a gap that we rely on our allies like the US and UK to fill. Mastering mechanisms of information and intelligence sharing is a journey that our agencies have gone through and are coming out successfully”¹¹⁸

The research also revealed that there are some aspects of CT that have been left in the hands of private security personnel who may not have the specialized skills required to identify a potential threat. An interviewee from a Private Security Firm stated as follows:

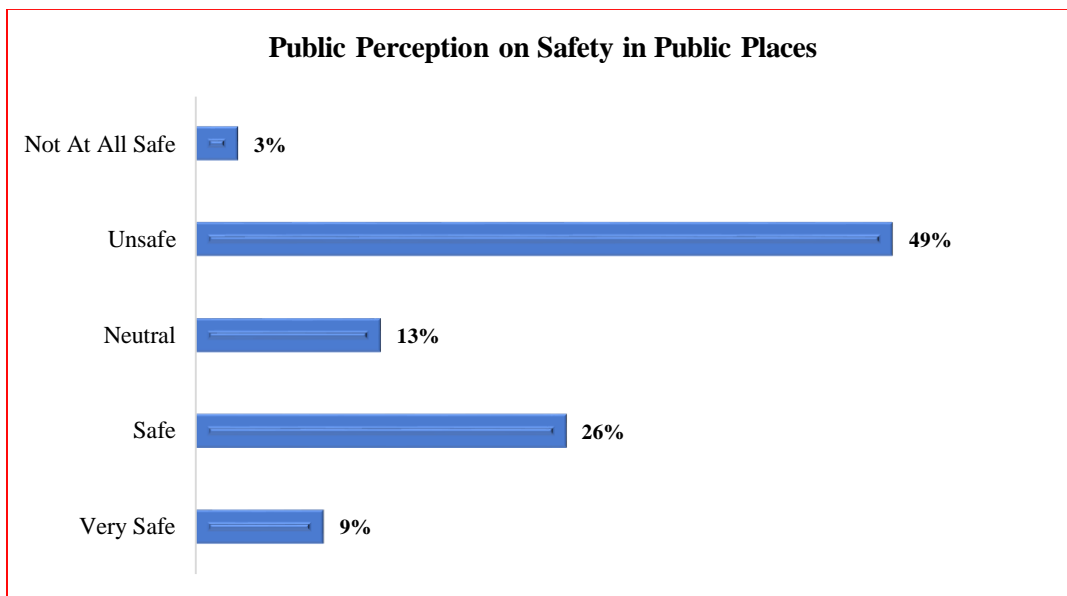
“...When security of an important installation such as a government building is left in the hands of private security or just regular police, they are not equipped to know who poses a security threat by observing them. The counter-terrorism programmes in Kenya and Africa as a whole should be cast wider to include training of private security personnel in identifying and reporting suspicious activity that could be a precursor to a terrorist strike.”¹¹⁹

¹¹⁸ Interviewee 2 - NCTC

¹¹⁹ Interviewee 1 – Private Security Company

A question was further posed to the general public regarding whether they feel that the places they visit every day (e.g. malls, offices, hotels, schools) have enough safeguards to prevent a terrorist attack. The results paint a picture of a public that does not feel that there are adequate measures protecting public places from a terrorist attack.

Figure 2: Public Perception on Safety from a Terrorist Attack in Public Places

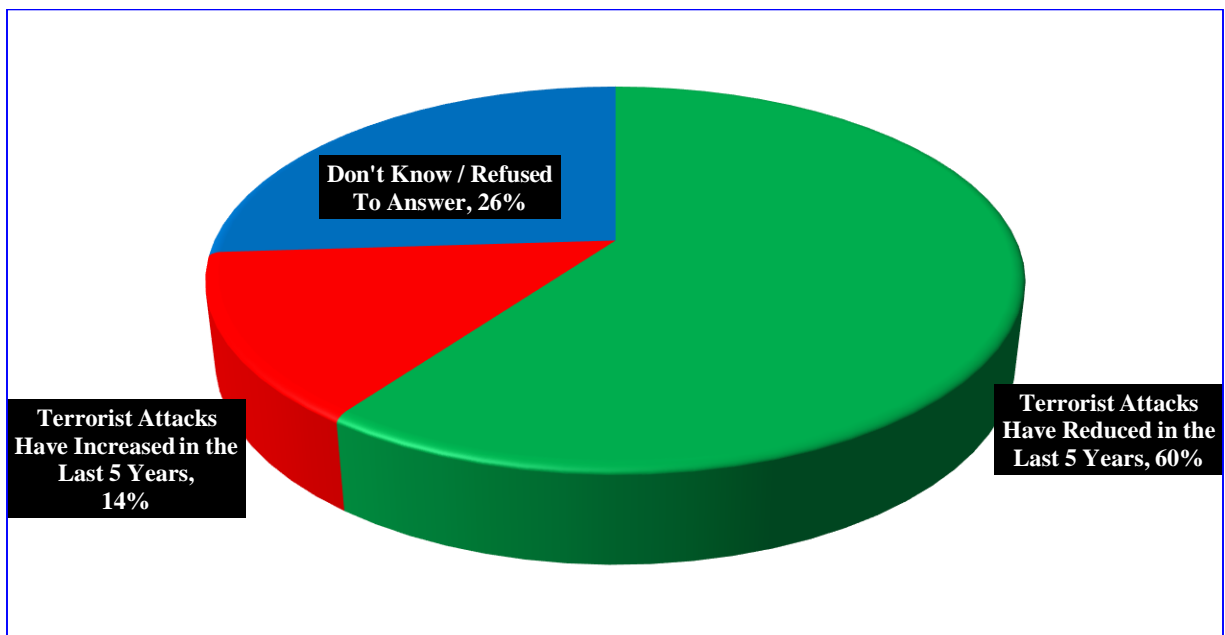


Source: Researcher's Primary Data

The lack of confidence about the CT measures protecting public places is because of the lacklustre approach that gatekeepers like private security guards and administration police have when manning these places. The security screening is done as a matter of compliance rather than a deterrent of a possible terrorist attack. The general public however acknowledged that

terrorism attacks have reduced in intensity in the last five years,¹²⁰ despite the country having gone through an attack as recently as January 2019. Sixty per cent of the respondents indicated that the number of terrorist attacks in Kenya had reduced in the last five years.

Figure 3: Public Perception on Number of Terrorist Attacks in the Last Five Years



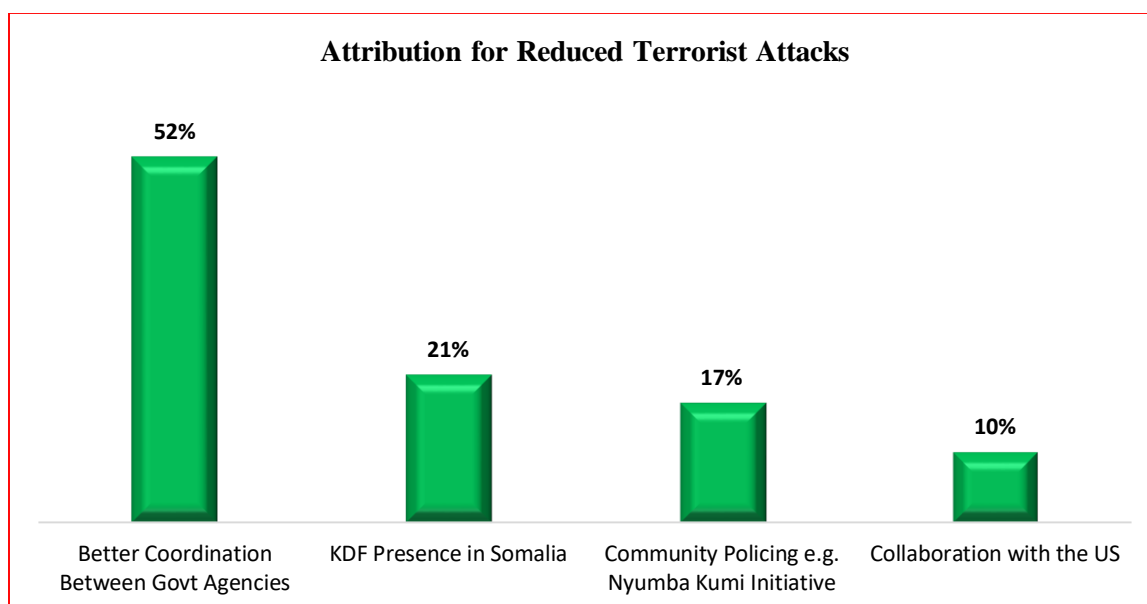
Source: Researcher's Primary Data

The researcher further probed about what the general public attributes the decline in terrorist attacks to. This was an open ended question where the respondent was allowed to answer in their own words. The reason with the highest number of mentions was improved coordination between government security agencies. Other reasons mentioned were incursion

¹²⁰ Interviews with the General Public

into Somalia, Nyumba Kumi initiative, collaboration with developed world allies and cutting off of Al-Shabaab's source of finances to carry out terrorist attacks.¹²¹ The mention of these attributes also points out to an awareness of some of the counter-terrorism strategies that Kenya is applying to keep terrorism at bay.

Figure 4: Attribution by General Public for Reduced Terrorist Attacks



Source: Researcher's Primary Data

5.2. Effectiveness of Inter-Agency Coordination in Counter-Terrorism in Kenya

This research project sought to validate the effectiveness of inter-agency coordination in the fight against terrorism in Kenya. The National Counter Terrorism Centre was formed and inaugurated in 2004, with an aim of coordinating all the government's CT efforts. Before the NCTC, the counter-terrorism work in Kenya was disjointed because security agencies in the

¹²¹ Interview with General Public

country were not talking to each other. Interviewee 2 from the NCTC summarized this it as follows:

“...Before the NCTC was instituted, there was a lot going on in terms of CT work, but there is no one single agency that had a bird’s eye view of the whole process. It was even difficult to quantify the success of the CT work that was going on in the country. But after the NCTC was inaugurated, it is very clear to now see progress being made on several fronts, and tracking the big picture as far as counter-terrorism in Kenya is concerned is possible. It has enabled us to confidently say that our counter-terrorist strategies and policies are effective”¹²²

This research found out that information sharing is a key component of Inter-Agency Coordination. This forms the first level of coordinating the various security agencies tackling terrorism. Planning and executing a terrorist attack takes many facets. Such facets of planning include (but are not limited to) reconnaissance of a target, recruitment of personnel, financing, logistics of moving personnel and weapons. A good counter-terrorism strategy will have different agencies that are specialized in identifying and/or detecting when any of the fore-mentioned stages of planning a terrorist attack are beginning to take place. An interviewee from the Financial Reporting Centre (FRC) put it as follows:

“...It is the goal of every counter-terrorism officer in the world to identify and neutralize a threat before it materializes into an overt act of violence and loss of life. Classifying any suspicious activity takes a lot of specialized agencies working together, and for this reason, having a sound mechanism or formula of sharing and coordinating the wealth of information between these agencies forms the bedrock of inter-agency coordination in counter-terrorism.”

¹²² Interviewee 2 - NCTC

The role of inter-agency coordination in a country that is under a continuous terrorism threat was further enhanced by Interviewee 2 from NCTC, citing the level of preparation that Al-Shabaab had gone into to plan the latest attacks in Kenya at the Westgate Mall in 2013 and at the DusitD2 Hotel Complex in January 2019. He stated:

“...The level of preparation that has to be done to successfully mount an attack is immense. For Al-Shabaab to prepare, gather intelligence, move the terrorists and their equipment to the targets, all in secrecy, demonstrates a high level of understanding and knowledge of operational security and communication encryption.”

The researcher sought to investigate whether there are any agencies viewed as a weak link in the quest to attain maximum coordination and cooperation between the agencies that are tasked to fight terrorism in Kenya. This question was posed to the respondents owing to the fact that it has been reported over time that the police manning the border between Kenya and Somalia are negating the hard work done by other agencies by accepting bribes¹²³ from individuals without the right travel documents and allowing them to cross the border. This has given Al-Shabaab militants a clear pathway to sneak in and out of the country. The respondent from the ATPU opined that there is need for uniform training in counter-terrorism for officers posted to hotspots that are more likely to see terrorism-related activity more than others. This will equip these officers with the necessary knowledge and skill to detect any suspicious activity that could be an early warning sign of an impending attack.

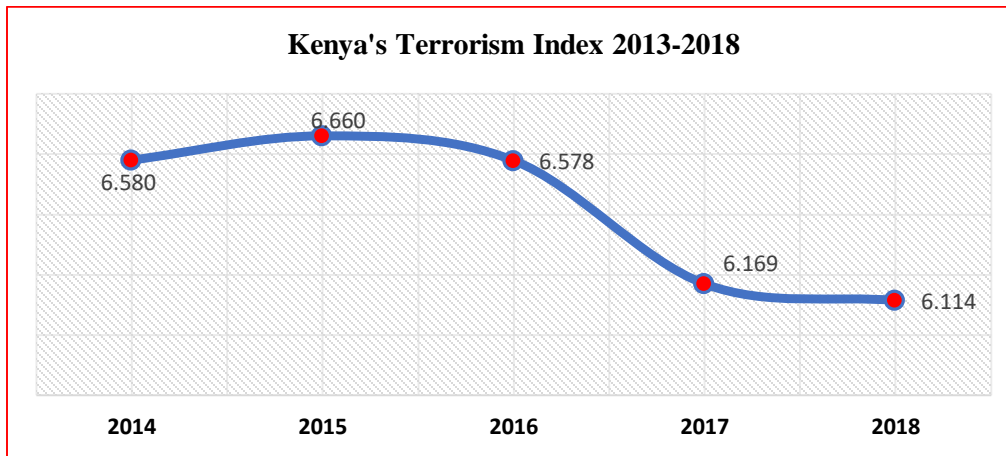
¹²³ Cherono, Stella. *Shame of Police Bribed to let in Shabaab Bombers*, Published in the Daily Nation, November 16th, 2018.

5.3. Appropriate Strategies to Counter Terrorism in Kenya

This research project also investigated what the most appropriate CT strategies for Kenya. As mentioned earlier, the country delayed in harmonizing its multi-agency approach to fighting terrorism, but it has quickly caught up in the recent years. This can be evidenced by the steady decline in the number of successful attacks on Kenyan soil in the last decade. Kenya has continued to feature in the top twenty countries most likely to be impacted by terrorism (see Figure 5). It therefore behoves the government to make sure that the CT strategies being deployed at any one point in time are reciprocal and adaptable to the level of the threat being posed by terrorists. Interviewee 5 from the KDF elaborated that the military strikes and other security operations are the surgical blade that comes in after extensive work is done to identify the problem that needs to be solved. This was further buttressed by Interviewee 2 from the NCTC who said that traditional security work that involves both human intelligence (HUMINT) and signals intelligence (SIGINT) has to always be there. However, these have to always be adapted to make sure that they are always serving the purpose of continuously detecting the patterns that indicate any planning stage of a terrorist attack. Interviewee 2 stated as follows:

“...An appropriate counter-terrorism strategy is one that is quickly adaptable to keep up with the tactics that terrorists are using. The people who plan terrorist attacks are not illiterate. They have knowledge of operation security, electronic communication, chemical engineering, some are munitions experts and so on... it is up to the agencies tasked with counter-terrorism to stay many steps ahead of the terrorists and protect the country.”

Figure 5: Kenya’s Terrorism Index 2013 – 2018



Source: *Global Terrorism Index*¹²⁴

The research further revealed that the incursion into Somalia has paid off, and Kenya is reaping benefits thereof. There is now a buffer zone at the Kenya-Somali border that is under full control of the KDF and Kenya Police. This has reduced the number of illegal crossings into Kenya. The partnership between Kenya and other regional allies under the banner of AMISOM has also paid a dividend in terms of security in the Eastern Africa region. An Interviewee from the KDF stated that:

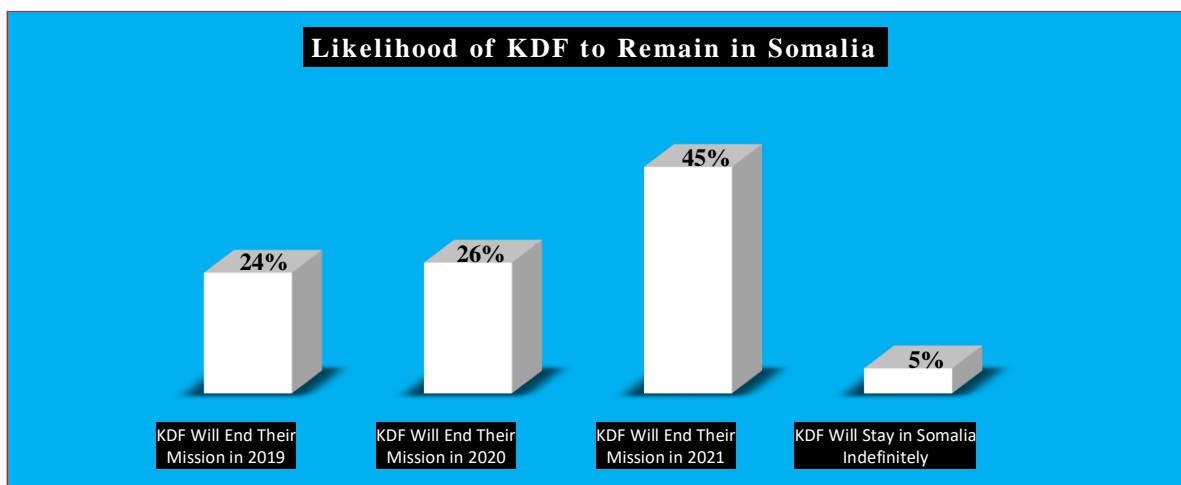
“...The show of might from the region has communicated to Al-Shabaab and their sympathizers that the region’s security is not negotiable and they will be hunted down so that

¹²⁴ The Global Terrorism Index (GTI) is a comprehensive study which accounts for the direct and indirect impact of terrorism in 162 countries in terms of its effect on lives lost, injuries, property damage and the psychological aftereffects of terrorism. This study covers 99.6 per cent of the world’s population. It aggregates the most authoritative data source on terrorism today. It is collated by the National Consortium for the Study of Terrorism and Responses to Terrorism in order to provide an ordinal ranking of nations on the negative impact of terrorism. It consists of systematically and comprehensively coded data on domestic as well as international terrorist incidents and now includes more than 140,000 cases. Obtained from www.visionofhumanity.org.

Eastern African countries can prosper without the threat of terrorism interfering with our way of life.”

Further, the Kenyan public still supports the KDF mission in Somalia, and amidst the possibility of a pull out in 2020, majority of them predict that the KDF will continue their presence in Somalia for two years or as long as the threat from Al-Shabaab is present.

Figure 6: Likelihood of KDF Remaining in Somalia



Source: Researcher's Primary Data

5.3.1. Cheaper and More Efficient CT Strategies Needed in Africa and Kenya

One respondent posed a different perspective on what appropriate CT strategies are for Kenya. The respondent challenges that despite the fact that all these resources have been poured into State-focused inter-agency coordination, Al-Shabaab have still been attacking Kenya. This is despite of revamped inter-agency coordination and a military presence in Somalia, their base of operation. The respondent acknowledges that there has been a lot achieved in terms of coordinating agencies because there was a time that communication was

non-existent between the police, military and intelligence agencies. There is need to have participation from Non-State actors, specifically from the hotspots where these terrorists are known to reside or transit through e.g. refugee camps. Interviewee 6, a Professor of International Relations and Governance stated:

“...there have been gains made because there was a time that agencies in government were blind to each other’s counter-terrorism work. The way to resolve the terrorism problem in Kenya and Africa as a whole is not just government agencies to talk to each other. It has to be more inclusive, with more participation from Non-State actors who hail from the places where these terrorists themselves reside and come from.”¹²⁵

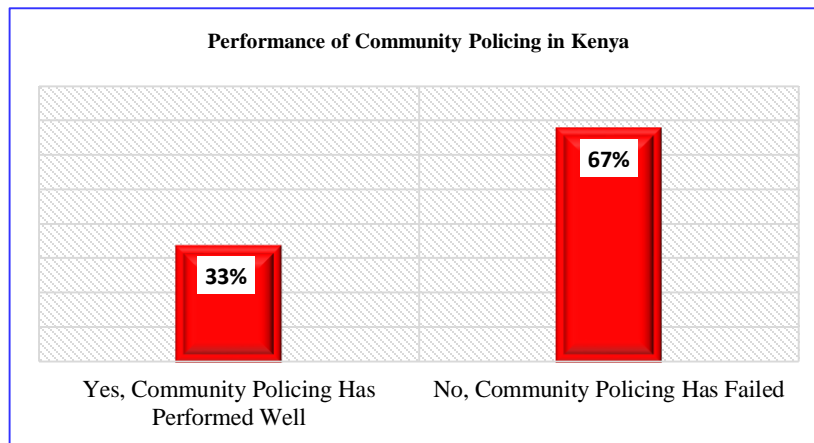
The researcher also sought to find out what inexpensive yet efficient strategies are available to the government to use in the fight against terrorism. Africa and Kenya specifically does not have the resource that the West has, but can use cheaper methods to have better intelligence coordination that can serve the continent. The research unearthed that part of the problem is the nature in which CT work is done – in secrecy. The failure to co-opt the general public in information sharing is one weakness of current CT strategies applied in Kenya. The fact that the public shuns law enforcement does not help either. The public will shun the police for instance for fear of harassment, therefore they (the public) cannot share any information they have. There is a vast divide and high mistrust between the government and the public such that the public doesn’t see the need to help the government fight terrorism, and the government does not trust the public to share some of what they know about the movement of terrorists within the country. A symbiotic relationship is needed to achieve the common goal of fighting terrorists. Because of this distance, some members of the public will either cooperate with, or

¹²⁵ Interviewee 6: Scholar, International Relations and Governance

hide the terrorists due to the shared apathy (between the public and terrorists) for government and law enforcement.

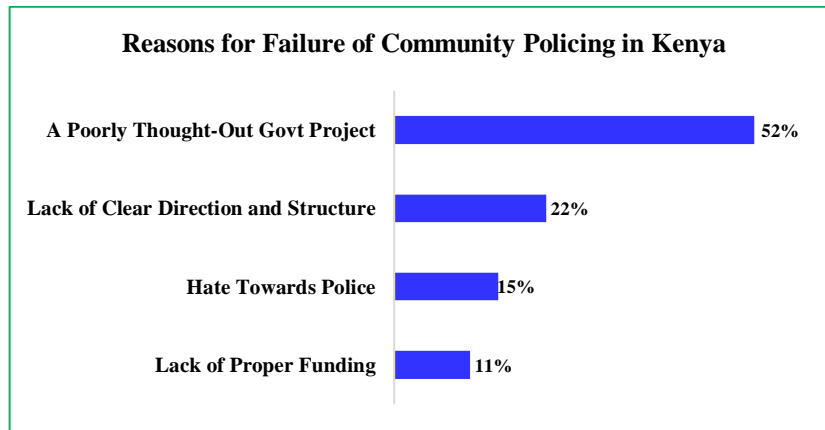
Posing the community policing question to the general public also revealed a public that has lost confidence in that initiative with 67% of those interviewed stating that it has failed. Further probing reveals that most see it as just another government project that was doomed to fail due to exclusion of the public in its crafting, and poor implementation procedures. This apathy towards current community policing initiatives has to be tackled with more inclusion and cooperation with the general public as opposed to pushing it down their throats.

Figure 7: Performance of Community Policing in Kenya



Source: Researcher's Primary Data

Figure 8: Reasons for Failure of Community Policing in Kenya



Source: Researcher's Primary Data

5.4. Chapter Five Conclusion

The findings of this chapter reveal that Kenya is centrally coordinating its counter-terrorism efforts, which is far removed from how the country was approaching CT at the turn of the century. It is also clear from the data collected in this chapter that an effective CT strategy is one that should include both State-focused inter-agency coordination, as well as inclusion and cooperation from the general public. Using Non-State actors like the general public and other community-based strategies will be cheaper and will give a boost to the CT efforts currently being employed by the State. Talking to the public would yield very actionable Human Intelligence (HUMINT) that can then be validated with Signals Intelligence (SIGINT) and thereafter be acted on by the State agencies tasked with counter-terrorism.

This chapter reveals that CT strategies applied should be adaptable to the threat climate because terrorists are continuously changing their tactics every day. This makes the case for public participation because these terrorists hide in plain sight and reside in the same places

where law abiding members of the public also reside. The government of Kenya is enjoying public support for its incursion into Somalia. Majority of the population attribute KDF's presence in Somalia to the reduced frequency of attacks in the country over the last five years. Overall a seamless coordination of both HUMINT and SIGINT agencies forms the bedrock of inter-agency coordination and a pre-requisite of a good CT strategy.

CHAPTER SIX: CONCLUSIONS AND RECOMMENDATIONS

6.0. Chapter Six Introduction

This Chapter will seek to summarize the findings of this research, and thereafter draw conclusions that can be gleaned from these findings. Recommendations to policy makers and recommendations for further areas of research will finalize this Chapter.

6.1. Summary & Conclusions

The African continent continues to battle various forms of terrorist attacks, and it's an ongoing threat that respective governments have to be vigilant about. Many of the terrorist threats are home grown out of political and/or religious extremism. In Nigeria, Boko Haram has become a menace to that country, and their violence has now become internationalized because the terrorist group has expanded their attacks to neighbouring countries Cameroon, Niger and Chad. The Nigerian military has been launching offensives that have done little to deter the attacks being staged by Boko Haram. This means that a military offensive alone cannot neutralize terrorists because overt violence is just one aspect of terrorism. It all starts with radicalization and resentment towards a government or a certain section of the society. This is where inter-agency coordination steps in to approach every threat from multiple angles and neutralize it using more than one avenue.

Kenya too is a country that faces a constant threat of terrorism owing to the shared border with Somalia, a country that has not had a functional central government since a civil war broke out there in 1991. The most devastating attack on Kenya was in 1998 when Al-Qaeda bombed the US Embassy in Nairobi. From then on, Kenya had been thrust into the

unfortunate cluster of countries that have to actively fight terrorism as part of their everyday lives. There have been several serious attacks by Al-Shabaab since the US Embassy attack, keeping the country on edge not knowing when the next attack will take place. Al-Shabaab have also recruited Kenyans to join their ranks, thereby creating sleeper cells within the country. This has posed even further danger, and spawned lone gunman attacks. Grenades have been a weapon of choice for these lone radicals seeking to take their violent extremism to the very end.

The African Union has largely adopted to CT frameworks, to ensure that the continent has the requisite legal and policy frameworks to criminalize and prevent all forms and issues related to terrorism. The Convention on the Prevention and Combating of Terrorism held in 1999 played a key role towards creating and framework for inter-agency cooperation amongst States and also within States. This convention also provided a legal framework for extradition as well as extra-territorial investigations and mutual legal assistance. This convention entered into force in 2002, has been ratified by 40 African States so far. The AU Plan of Action on the Prevention and Combating of Terrorism was another instrument put in place on the continent to deal with specific challenges in the fight against the scourge of terrorism. Such challenges are police work, border control, legislative framework, judicial measures terrorism financing and how to exchange information. As part of this plan of action, the African Centre for the Study and Research on Terrorism (ACSRT) was instituted in 2004. ACSRT serves as a structure for centralizing information, studies, and various analyses on terrorism and terrorist groups – with an end goal of developing CT capacity building programmes. ACSRT was instituted to further provide a platform for interaction and cooperation amongst Member States, and also play an important role in guiding the AU's Counter-Terrorism efforts.

Kenya and the rest of Africa countries have also adopted actions to tackle the funding of terror related activities. The AU has directed the states who are its members to actualize the 1999 International Convention for the Destruction of Terrorism funding. The AU calls on its member States to restrict and have strict control of individuals, companies or any organizations that are suspected of financing terrorist activities. Some of the ways in which terrorists have financed their activities in Africa include extortion schemes, donations from NGOs, foreign remittances, wildlife poaching, piracy in the seas, and illegal mining. Countries on the African continent have ramped up their anti-poaching efforts in a bid to stifle that source of financing for terrorism, while existing frameworks like the Kimberly Process controls the trade in diamonds so that there are no illicit proceeds from the sale of diamonds that will be used to finance a terrorist attack.

Kenya made a significant step towards achieving inter-agency coordination when inaugurated the National Counter Terrorism Centre in 2004. The role of the National Counter-Terrorism Centre (NCTC) is described as being accountable for the organization of Kenya's CT commitment in order to identify, and interrupt terror activities. The NCTC is also concentrated on organising CT operational requirements with the country's national strategies and guidelines, recognizing and subsequently addressing in gaps in CT, fighting terror activities, constructing a solid defensive pillar of Kenya's CT strategy. The NCTC also rallied mutual and multifaceted cooperation in CT.

Kenya made a significant step forward in its CT strategy when its Defence forces crossed over into Somalia in 2011 and begun an offensive against Al-Shabaab's strongholds. This incursion (later re-hatted to join AMISOM) has been critical in pacifying the threat that came from Somalia's lawlessness and further created a buffer zone at the border between

Kenya and Somalia. This buffer has significantly reduced the flow of terrorist and the movement of weapons or illicit commodities that are sold to fund Al-Shabaab's activities.

The combating of terrorism financing is another key frontier in the war against terror. The Financial Reporting Centre plays the role of identifying the incomes received for committing crime and fighting money laundering. The FRC organizes the gathering of data on the subject of distrustful financial dealings from all monetary and regulating organizations in the country and make sure agreement with global financial reporting standards, and presentation of best practice in anti-money laundering efforts.

Border Control also forms an important part of Kenya's CT strategy. Border control in Kenya is managed by the Kenya Police, in coordination with other State agencies like Immigration and Customs. Border control is a constant balancing act between granting access and maintaining the security of the country. The border that Kenya shares with Somalia offers a unique challenge given that people and goods leaving Somalia are not subject to the same raft of screening as other countries due to the lack of a functional central government. This leaves the Kenyan security forces manning the border to ensure that they are not letting in criminals and terrorists together with legal and genuine travellers. Verification of travel documents and the use of biometrics should be deployed at the borders to keep a detailed record of people crossing the border. Kenya also engages in State-to-State inter-agency coordination in the fight against terrorism. Intelligence sharing with foreign allies with whom the country has partnered with in CT is a mainstay and standard procedure.

Countering violent extremism is the best starting point in the pragmatic approach to fighting terrorism. Radicalization is the first step taken by those who commit terrorism crimes and therefore countering it would go a long way in neutralizing threats in their very nascent

stages, when they are still thoughts in the heads of would-be terrorists. Kenya has a robust National Strategy to Counter Violent Extremism which is coordinated by the NCTC. Some of its programmes include de-radicalization of Al-Shabaab's recruits who are seeking to reintegrate back to society after being absorbed into the terrorist networks. Strengthened information sharing amongst security agencies in the country is critical to the success of the NCTC. The Inter-Agency Joint Operation Centres at Kenya's port of entries are a good example of platforms to share information that can be used to assess whether a certain individual constitutes a threat to the country or not.

Community policing has also been hailed as a very useful tool in CT. In Kenya, this has been achieved through the Nyumba Kumi initiative where neighbourhoods are divided into clusters of ten houses each. Such small clustering allows for easy detection of outsiders who may have suspicious behaviour. Since terrorists are known to hide in plain sight, having tight-knit clusters makes it easy to identify people with outlier activity that could point out a terrorist attack in the planning. The Nyumba Kumi initiative has served as an early warning system by ridding out those using residential neighbourhoods as staging areas for terrorist attacks.

6.2. Recommendations

The researcher recommends that countries on the African continent that are under the constant threat of terrorism should first and foremost find cheaper, inexpensive CT strategies to augment State-focused inter-agency coordination. The other traditional CT strategies adopted mainly from the West should not be viewed as a magic pill to wipe out terrorism in Kenya as a country and Africa as a continent. Some localization is needed for better results.

6.2.1. Recommendations on Cheaper, and Localized CT Strategies for Kenya and Africa

It is highly recommended that the government agencies need to endear themselves to the general populace and team up with them to combat terrorism. Instead of harassing them like it has been reported during counter-terrorism operations. This is mostly applicable for areas where Somalis reside since most terrorists identify with the religion that most Somalis ascribe to – Islam. Law enforcement should abhor unnecessary violence towards such communities, but rather invite the law abiding members to the table and seek their cooperation in fighting terrorism. In tandem with co-opting members of the public in counter-terrorism, racial profiling must be put in check in order to win over the law-abiding members of the Somali community in Kenya and recruit them as an ally in the fight against terrorism and violent extremism.

This research has also determined that there have been attempts to use community policing as a CT tool in Kenya. This has paid some little dividends, but is still wrought with problems. The Nyumba Kumi initiative should be strengthened in order to create for a hostile environment for terrorists to seek haven in residential areas. It must be properly sold to Kenyans. The importance has to be very well communicated to Kenyans as a security tool and not just another government project that is on the verge of being moribund despite having resources directed at it. Co-opt the public in its design and implementation as opposed to pushing it down their throats. When households are close knit and clustered in small clusters of ten each for example, it is very easy to identify individuals who don't belong in that area, and report them to relevant authorities. This information should be acted on immediately before these suspects slip away. The government should provide more funding to strengthen

community policing and increase the cooperation between security agencies and the communities they protect.

6.2.2. Recommendations on Early Stage Countering of Violent Extremism

The National Strategy to Counter Violent Extremism is a programme that should be continually funded and executed together with community based organizations. There should be an emphasis on inter-religious dialogue, inter-culture dialogue and also on platforms that bring together both State and Non-State actors to advise on the best counter-extremist strategies. The government should continually put out counter-extremist messages to neutralize the effects of the extremists' messages that are directed towards potential recruits. CVE measures should also address the proliferation of misleading posts on social media platforms. Suspicious social media accounts should be flagged and the people behind them investigated. Women and youth should be included in any CVE strategies that the government should roll out. For the youth, they are a critical segment of the population as far as terrorism is concerned because they are often soft targets for terrorist recruiters. For example, including them in decision making processes will take away the feeling of alienation and give them a purpose in life. The alienation and lack of purpose are some of the main components of terrorist extremist messaging. This should be applied to all around the country, but special emphasis should be put on the communities where terrorist groups like Al-Shabaab have focused their recruitment drives.

6.2.3. Recommendations on Combating Financing of Terrorism

To effectively combat the financing of terrorism, Kenya should fully implement the 1999 United Nations International Convention for the Suppression of the Financing of Terrorism. They should go a step further and align the local laws to this international statute. Money laundering in general should be criminalized. Any persons or organizations that are found to directly or indirectly finance terrorists, terrorism, terrorism organizations should face heavy jail terms in order to remove them from society.

When an individual or organization is found to be financing terrorism in any way shape or form, whether directly or indirectly, should have their assets frozen by the government in accordance to the UN resolutions that relate to the prevention and suppression of the financing to terrorism.

Financial institutions like banks should implement the relevant regulatory procedures to detect suspicious financial activity that could be a precursor to a terrorist attack. These financial institutions should do this not just to comply with the regulatory directives, but to continually deter the movement of illicit monies that could end up funding a terrorist attack.

Countries should have an inter-State agency information sharing platform, to extend to each other mutual legal assistance that would help another country with its investigations relating to financial crimes or terrorism in general. These countries should also agree not to offer safe havens for any individuals linked to financing of terrorism.

6.2.4. Recommendations on Inter-Agency Information Exchange

This research has determined that terrorist threats are comprised of several facets. There is procuring of weapons and bomb material, movement of personnel, secretive communication, coordination between the planners and those executing it and so on. All agencies that are working under the NCTC should ensure that specific roles and responsibilities of each agency is agreed upon and understood by all the other agencies with whom they are working together. These roles and responsibilities should be regularly reviewed to make sure that they are well positioned to respond to any terrorist threats detected. It is important to also make sure that there are no overlapping roles between the agencies so that there is no conflict of jurisdiction over any aspects of the CT work that these agencies embark on day to day. Channels and methodologies of how information is exchanged should be well documented and outlined to avoid lag time that could delay time-critical information from reaching its intended target for auctioning.

6.3. Further Areas of Research

There is need for further detailed research into the role of Non-State actors in fighting terrorism. The General Public, Non-Governmental Organizations (NGOs) and Community Based Organizations (CBOs) can also play a very crucial and effective role in countering terrorism. Their role in society and how they can help governments fight terrorism needs to empirically critiqued to draw recommendations on how they can be integrated into the fight against terrorism.

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APPENDIX 1:
INTERVIEW DISCUSSION GUIDE FOR THE KEY INFORMANT INTERVIEWS

QUESTIONS:

**SECTION A: PERFORMANCE OF COUNTER-TERRORISM MECHANISMS IN
KENYA AND AFRICA**

1. In your opinion, do you believe that Kenya and Africa as a whole are generally making progress in the fight against terrorism on the continent? Why do you give this answer?

2. What, in your opinion are some of the most successful counter-terrorism strategies that have been put in place on the African continent and in Kenya?

3. What are some of the challenges that are faced by counter-terrorism agencies on the African continent?

4. How can these challenges be overcome in order to gain more ground in the fight against terrorism in Africa and Kenya?

SECTION B: EFFECTIVENESS OF INTER-AGENCY COORDINATION IN KENYA

5. How successful has Kenya been in coordinating its agencies to fight terrorism in the country?

6. Let's talk about the levels of coordination and challenges encountered while trying to coordinate these agencies. Has this coordination been smooth? Have there been some pitfalls?

7. Are there agencies that are a weak link in the chain as far as counter-terrorism is concerned? What is being done to address such an issue?

8. What other challenges are facing the critical role of inter-agency coordination in fighting terrorism in Kenya? What is being done to address these challenges?

SECTION C: APPROPRIATE STRATEGIES TO COUNTER TERRORISM IN KENYA

9. What are the most appropriate strategies that Kenya’s government can adopt to give more thrust to the fight against terrorism?

10. Are there any strategies that the government has invested in but not gotten the desired results? What should be done instead?

11. How effective as a strategy has the incursion into Somalia been? Has it pacified the porous border between Kenya and Somalia? Has it reduced the incidence and likelihood of terror attacks in Kenya by Al-Shabaab?

**APPENDIX 2:
INTERVIEW QUESTIONNAIRE FOR GENERAL PUBLIC**

Demographics:

D1: Record Gender

Male	1
Female	2

D2: What bracket represents your age last birthday?

Under 18		TERMINATE
18-24	1	RECRUIT AS VALID GENERAL PUBLIC RESPONDENT
25-34	2	
35-44	3	
45-54	4	
55+	5	

D3: What level of education have you attained?

Primary	1
Secondary	2
Certificate / Diploma	3
Undergraduate	4
Masters	5
Doctorate	6

1. Do you support the presence of Kenya Defence Forces in Somalia?

Yes	1
No	2

2. On a scale of 1-5 where 1 is Unsafe and 5 is Very Safe, please tell me how safe you believe our public spaces like malls, schools and churches are from a terrorist attack.

Very Unsafe	Unsafe	Neutral	Safe	Very Safe
1	2	3	4	5

3. In your opinion, has the number of terrorists attacks in Kenya increased or decreased in the last 5 years?

They have Increased	1
They have Decreased	2

4. You told me that you believe terrorist attacks in Kenya have reduced in number in the last 5 years. In your own words, tell me what you think has led to this reduction?

--

5. In your opinion, has community policing e.g. Nyumba Kumi produced the desired results?

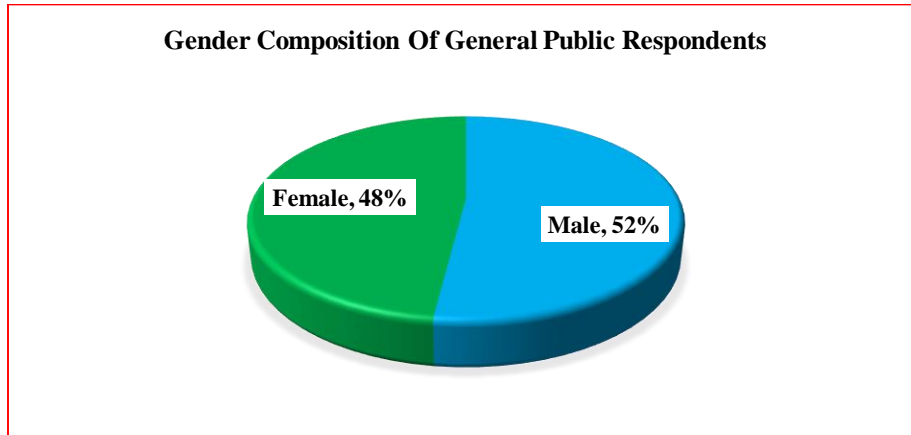
Yes, Community Policing Has Performed Well	1
No, Community Policing Has Failed	2

6. [ASK THOSE WHO CODED 2 IN Q5] Why do you say it has failed?

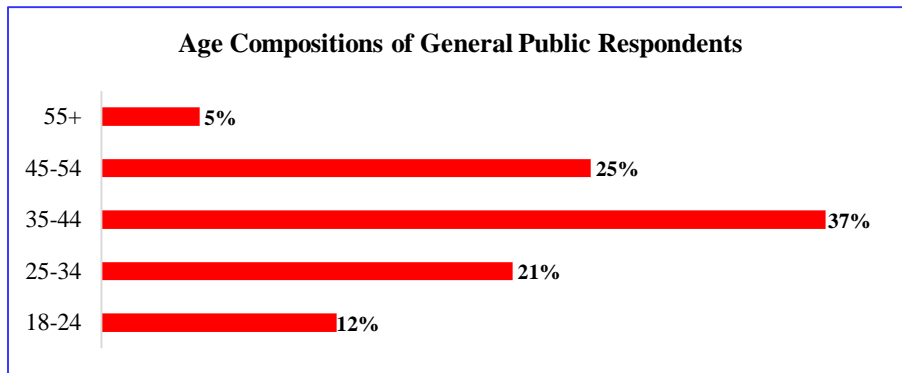
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**APPENDIX 3:
DEMOGRAPHIC COMPOSITION OF GENERAL PUBLIC RESPONDENTS**

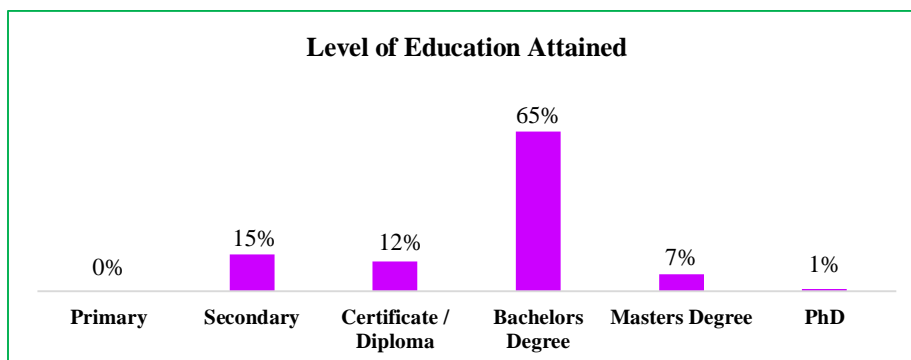
Gender:



Age Splits:



Education Level Attained:



**APPENDIX 4:
ORIGINALITY REPORT**

**THE ROLE OF STATE INTER-AGENCY COORDINATION IN
COUNTERING TERRORISM IN AFRICA: A CASE STUDY OF
KENYA**

ORIGINALITY REPORT

15%	13%	6%	11%
SIMILARITY INDEX	INTERNET SOURCES	PUBLICATIONS	STUDENT PAPERS

PRIMARY SOURCES

1	Submitted to Kenyatta University Student Paper	1%
2	Submitted to Mount Kenya University Student Paper	1%
3	Submitted to American Public University System Student Paper	1%
4	www.nmun.org Internet Source	<1%
5	smिताasthana.com Internet Source	<1%
6	digitalcommons.law.ggu.edu Internet Source	<1%
7	knoema.de Internet Source	<1%
8	www.peaceau.org Internet Source	<1%

**APPENDIX 5:
NACOSTI LICENCE**





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December 2019
Institute of Diplomacy & International Studies
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