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AL-SHABAAB MILITIA, A THREAT TO SECURITY IN THE HORN OF AFRICA: A CASE STUDY OF KENYA

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DECLARATION

I, Hillary Rotich hereby declare that this project is my original work and it has never been presented for a degree in any University.

SIGN……………………..…………......DATE……..…………………………………

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

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ABSTRACT

Kenya is one of the countries within the horn of Africa that has over the years has been considered as one of the most stable nations. However recent happenings have seen Kenya experience an increase in terrorism incidents within her soil. Few studies have been done to critically evaluate the impacts of terrorism in Kenya and the possible corrective measure that Kenya need to adopt in fighting this terrorism menace. This study assesses the impacts of Al-Shabaab militia in the Horn of Africa using Kenya as the case study. The study was guided by three specific objectives; to understand the discourse of militia groups such as Al-Shabaab, to assess the response strategies to mitigate Al-Shabaab militia attacks, and recommend context specific response mechanism to counter Al-Shabaab militia attacks in Kenya. The study was pinned on the theory of cultural violence. The study adopted a transnational conceptual framework approach in its analysis, making use of secondary data, secondary data was sourced from book reviews, journals, internet sources, policy documents from the Kenyan ministries of foreign affairs. The study found out that the Historical issues such as the Cold-War, which saw the USA support Siad Barre in his dictatorial rule over Somalia led to the increased flow of arms in the country. The Horn of Africa also experience political challenges mainly involving funding of terror by some countries like Eritrea and Sudan, which has led to increased instability in the region. To curb the militia aggression in the region, the European Union has opted to instead support regional organizations like IGAD financially. The USA has also engaged in civil affairs operations aimed at improving the lives of civilians. Kenya has engaged in the implementation of counter-terrorism strategies. Kenya was also found to have borne the brunt of terror activities in the Horn of Africa Region. Kenya responded by creating NCTC to coordinate CT effort for the government, implementation of Operation Linda Nchi, and establishment of legislations for countering money laundering in the region. However, these efforts have not been effective in eradicating the Al-Shabaab in the area. Stronger measures to counter radicalization of Kenyan youth and violent extremism in the region are needed. The study therefore recommends that, to effectively fight terrorism in the region, the international community needs to implement harsher sanctions against countries like Eritrea and Sudan, finance terror groups. There should be increased cooperation of all organizations that have committed themselves to fight the Al-Shabaab. These organizations should create more channels for sharing information on terrorism in the region. The other new response strategy would be the introduction of a functional antiterrorism law in Kenya. For Kenya, the country needs to increase its border security capacities to prevent the entry of potential terrorists. The state also needs to improve the efficiency of the national identification system, which could help detect terrorists.

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CHAPTER ONE

INTRODUCTION

1.1 Background of the Study

The Horn of Africa: Kenya, Ethiopia, Djibouti, Somalia, Eritrea and Sudan have over the years been considered as major sources of terrorism by the Western nations.[1] These parts of Africa exemplify instability; it has repeatedly been identified as an ideal safe heaven, fertile recruiting ground and logical launching point for terrorist and its affiliates.[2] Kenya is one of the countries within the Horn of Africa which is arguable the most stable nation. Unlike Somalia, Kenya is believed not to host any domestic terrorist organization.[3]

Terrorism is considered to be a premeditated, politically motivated violence perpetrated against non-combatant's targets by sub nationals groups, usually intended to influence an audience beyond that of the immediate victim.[4] Terrorism has been recorded in world history as early as the 18th century.[5] Its methods and use has evolved since- from civil war scenarios in France and Russia to terror acts meant to express displeasure at political decisions of a government (Kenyan incursion into Somalia that is being opposed by Al-Shabaab) or to force a reversal of a governmental policy (Taliban and Al-Qaeda demanding the withdrawal of western troops in Iraq and Afghanistan). All continents have in one way or the other been affected by terrorist attacks or have been safe havens for terrorist groups or have provided material or personnel to such groups. Most countries are now aware of this

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[1] Docking T. (2004) Terrorism in the Horn Africa. United State Institute of peace, *www.usip.org/publications/terrorism in the horn of Africa.*Accessed on 12th /April/2015.

[2] Din.V. (2011).Understanding terrorism in the Horn of Africa.American perception of Somalia, Kenya and Alqaeda.SeniorThesis.Understanding Terrorism in the Horn of Africa American _perception.pdf.Accesed on 25thMay 2015.

[3] Ploach.L. (2010).Countering Terrorism in East Africa.The U.S.Response.*U.S .Congressional Research Service.*7-5700, R41473.51-55.

[4] Klein .A (2007).The costs of terror .The economic Consequences of global terrorism. Konrad-Adenauer stitung .facts and finding.no.41,2007.http://www.kas.de/wf/doc/kas_10991-544-2-30 pdf.131022171603.

[5] Din.V. (2011).Understanding terrorism in the Horn of Africa. American perception of Somalia, Kenya and Alqaeda. Senior Thesis. Understanding Terrorism in the Horn of Africa American _perception.pdf. Accesed on 25th September 2019.

security issue and have instituted (or are in the process of instituting) legal or security mechanisms to control financing, recruitment and mobility of persons linked to such groups.

Countries that have suffered the brunt of terrorist attacks through loss of property and life include Israel, USA, Pakistan, India, South Africa, Kenya, Somalia, Britain, Philippines among many others.[6] Terrorist groups driven by religious fanaticism have risen to prominence with such groups as Al-Qaeda, Al-Shabaab, Boko Haram, Hezbollah, Hamas, Abu Sayyaf being synonymous with terrorism.[7] This global problem has overshadowed inter-state conflict and this was heralded by the 11th September 2001 Al-Qaeda attack on New York's landmark structure. The subsequent global preoccupation with combating the problem has seen more efforts, resources and coalition building being devoted to this enterprise than it is being done on inter-state belligerence.[8]

Terrorism by Al-Shabaab is considered to be a premeditated, politically motivated violence perpetrated against non-combatant's targets by sub nationals groups, usually intended to influence an audience beyond that of the immediate victim.[9] Although the motives of militia groups such as Al-Shabaab may differ, their actions follow a standard pattern with terrorist incidents assuming a variety of forms from airplane hijackings, kidnapping, assassinations, bombings, suicide attacks among other forms of violence.[10]Other than the casualties and physical destruction directly caused by terrorist attacks, their actions inflict wider

[6] Din.V. (2011).Understanding terrorism in the Horn of Africa.American perception of Somalia, Kenya and Alqaeda.SeniorThesis.Understanding Terrorism in the Horn of Africa American perception.pdf.Accesed on 25th August 2019.

[7]Mousseau, Michael, "Market Civilization and its Clash with Terror," in, Brown E. et al (Eds), *Contending with Terrorism: Roots, Strategies and Responses* (Massachusetts: The Massachusetts Institute of Technology Press, 2010), page 34.

[8]Weiss T.G., (et al), *The United Nations and Changing World Politics*, 5th Ed (Colorado: Westview Press, 2007), page112.

[9] Klein .A (2007).The costs of terror .The economic Consequences of global terrorism.KonradAdenauerstitung facts and finding.no.41,2007.http://www.kas.de/wf/doc/kas_10991-544-2-30 pdf.131022171603.

[10] Sandler, T. (1992). Collective Action: Theory and Applications. Ann Arbor: University of Michigan Press, Michigan.pp 105-111.

psychological, social, political, and economic damage upon the societies they target.[11] Countries within the horn of Africa have continuously been vulnerably victims to acts of terrorism attacks by the Al-Shabaab. This necessitates the need to evaluate the measures put in place in combating Al-Shabaab terrorism within this region.

The region's governments have proved virtually incapable of monitoring the lengthy coastline from Eritrea to Kenya.[12] The land borders between all of the states are unusually porous, as well. Further, the region sits on are religious fault line of Christianity, Islam and traditional African beliefs. All eight of the countries are either predominantly Muslim or have important Muslim minorities. Sudan, Djibouti and Somalia, including self-declared independent Somaliland, are heavily Muslim. Ethiopia and Eritrea are about half Islamic. Kenya, Uganda and Tanzania contain significant Muslim minorities, some of whose members have become radicalized in recent years. The Arabian Peninsula has also been the major source of funding to Muslim charities that are in some instances converted to the financing of Al-Shabaab terror activities. While concerted efforts have been made to deny militant groups such as Al-Shabaab funding from the Gulf, these groups have resorted to poaching, trade in minerals and drugs as well as illegal logging.

Sudan's Al Bashir government has long been cited as a sponsor of Al-Shabaab terror and it is known that Osama bin Laden set up base in the country for five years from 1991 to 1996.[13] Somalia's failed state and lack of effective government has provided fertile ground for Islamist extremists who were fleeing from unsafe regions in Afghanistan, Pakistan and Yemen which had been rendered inhabitable for militants due to US drone and ground attacks. Yemen ,also being in this region has fanned terrorist activities by the inability of its

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[11]Klein .A (2007).The costs of terror .The economic Consequences of global terrorism. Konrad Adenauerstitung .facts and finding.no.41,2007.http://www.kas.de/wf/doc/kas_10991- 544-2-30 pdf.131022171603.

[12]Shinn ,David, "Focus On Counterterrorism Fighting Terrorism In East Africa and the Horn," in Foreign Service Journal, (September 2004), pp36-41.

[13]Stephen J., "The Terrorist Threat in Africa," in, Foreign Affairs, Vol.83, No. 1. (2005), pp. 75-86.

government to maintain effective control over its territory and more so its coastline thus providing a conduit for movement of arms, money laundering and infiltration of the Horn of Africa countries by militants trained in Pakistan, Afghanistan or Yemen.[14]

Ethiopia and Uganda have been proactive in lessening the impact of Al-Shabaab terrorism acts on their countries by venturing into Somalia to defeat Islamic-inspired Al-Shabaab and previously the Islamic courts union. Al-Shabaab terror is being bred and carried out in the region due to weak, failing states, pervasive corruption, and supra-national sentiments that blend with Islamism and the presence of western economic and political interests which have inspired hatred. The region's joint borders are largely porous which allow for illegal movement of extremists and their hardware.

Kenya's earliest brush with terrorist acts happened in 1975 when Starlight club and OTC bus station were rocked by bomb explosions. In 1980, the Palestinian Liberation Organization bombed the Norfolk Hotel in downtown Nairobi in retaliation at Kenya's co-operation with Israel in the latter's Entebbe raid to free hostages in Uganda in 1978. In 1998, al-Qaeda-allied terrorists targeted the US embassy in Nairobi with a suicide attack which killed 250 people and flattened a high rise building. Four years later, terrorists attacked Paradise Hotel at the coast in an attempt to exterminate Israeli tourists. The attempt failed but it led to deaths of Kenyan dancers and hotel staff. A simultaneous attack on an airborne Israeli plane carrying tourists failed.[15]

Numerous grenade attacks have since rocked the North Eastern, coast and Nairobi regions, allegedly carried out by Somalia-based Al-Shabaab to instigate Kenya's withdrawal from Somalia where it had sent troops to halt cross border kidnappings and infiltrations into

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[14]Rotberg R., "The Horn of Africa and Yemen: Diminishing the Threat of Terrorism," in Robert, I., (Ed), *Battling Terrorism in the Horn of Africa*, (Virginia: World Peace Foundation, Brookings Institution, 2005), page 2.
[15]Wanjiru, Carolyne, "Kenya and the War on Terrorism," in *Review of African Political Economy,* No. 107, (Mar 2006), pp. 133-162.

Kenya. Kenya's vulnerability to Al-Shabaab terrorist attacks stems from her Horn of Africa neighbourhood which is rife with conflict conflagrations which have facilitated the incubation of terror cells and the unchecked movement of small arms and criminal elements. The impact this has had on the economy has been immense. Most damaging has been the travel advisories that have been put in place to deter foreign travel into the country based on intelligence reports of imminent terror attacks. This has led to foreign airlines cancelling direct flights into the country. For instance, the British Airways cancelled regular and charter flights into the country in 2003 in response to British caution on doubts about the Kenyan security situation that apparently posed a serious threat to British lives and interests in the country.[16]

The country was losing an estimated amount of over 1 billion Kenya shillings ($128 million) per week. In addition to the revenue loss, at stake were over 500,000 direct jobs and another 2.5 million indirect jobs[17] due to the negative publicity in international media as the Al-Shabaab terror attacks gave the country an image of an unsafe destination. Hotel bookings plummeted and the lack of tangible economic development has denied the region any semblance of social and economic stability while the weak governments have failed to effectively police national boundaries. Kenya is also home to Western interests, mainly due to her position as the political and economic hub of the region thus providing a soft target for retaliatory Al-Shabaab terror attacks.[18] Her weak legal apparatus, ineffective checks on money laundering, corrupt immigration and security officers, and poor or complacent government presence on her frontiers with neighbouring countries have also contributed to this situation.

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[16]KutoB.,et al ,The Effect of Tourism: Kenya's Tourism Crisis, e-Review of Tourism Research (eRTR), Vol. 2, No. 4, 2004,pp88-98.
[17]Ibidi.
[18]KutoB.,et al ,The Effect of Tourism: Kenya's Tourism Crisis, e-Review of Tourism Research (eRTR), Vol. 2, No. 4, 2004,pp88-98.

Kenya has become a major partner in the global war on Al-Shabaab terror after the aftermath of September 11, 2001 due to its geographical location, ethnic composition, political stability, unstable neighbours, poverty, Islamic fundamentalism and lax law enforcement,[19] with much of the global war on Al-Shabaab terror based on Kenyan northern neighbour Somalia.[20] Since the collapse of the Somalia government in 1991, it created a lawless society where crime and radical ideologies flourished with the chief terrorist threat emanating from the Al-Shabaab Terrorist organization.

1.2 Statement of the problem

Global index indicates that terror groups; have led to a number of negative socio-economic and political effects globally. In United States, terror attacks such as the 9/11 attack led to death of hundreds and loss of property to US citizens. In Nigeria, Boko Haram has killed hundred with thousands of households left homeless following their frequent attacks in villages.[21] The latest attack that occurred in February 2020 led to loss of 30 lives were lost and dozens injured with hundreds of houses torched.

Kenya alone has faced numerous terrorist attacks since independence. The deadliest terrorist attacks so far are; The West Gate Mall attack on 21st September 2013 in which 67 people were killed and 175 wounded. The other one is; The Garissa University College of 2nd April 2015. Where 147 people majorly students were killed and 79 wounded. Despite concerted efforts by the Kenyan Government and its International partners, the problem of terrorism is increasing. Therefore, this study wishes to investigate the counter terrorism strategies which are employed in Kenya to fight terrorism with a view of recommending pragmatic solutions to curb this human menace.

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[19]Adan, H.H.M. (2005).Combating transnational terrorism in Kenya, Defense Technical Information Center.http://www.dtic.mil/.Accessed on 12th/August/2019.

[20]Mogire, E., Agade, K.M. (2011).Counterterrorism in Kenya. Journal of contemporary Africanstudies 29(4).473-491.

[21] Kola, O. 2020. Suspected Boko Haram attack kills 30 in Nigeria: Locals. Retrieved from https://www.aa.com.tr/en/africa/suspected-boko-haram-attack-kills-30-in-nigeria-locals/1729737.

Studies done by researchers (Kagwanja[22]; Makinda[23]) on terrorism by Al-Shabaab in the Horn of Africa have mainly been at the regional level with insignificant concentration on the specific national efforts. Studies done on Kenya on militia groups have been Euro-centric and meant to provide policy advice for western governments and not Kenya as such. In spite of these studies and policy options, terror attacks persist in Kenya as witnessed by spontaneous attacks in such as the Garissa University attack, Westgate attack and Dusit attack. One of the reasons behind persistence attacks is attributed to luck of understanding of context specific pattern, behaviour and response strategies. For better mitigation strategies, this Study sought to asses why periodic attacks persist in the county and draw context specific understanding and best response options.

1.3 Objectives of the Study

1.3.1 General Objective

The main objective of this study was to investigate why militia groups such as Al-Shabaab attacks persist in the horn of Africa in order to draw context specific mitigation strategies with reference to Kenya.

1.3.2 Specific Objective

The study was guided by the following objectives:

1.3.2.1 To understand the discourse of militia groups such as Al-Shabaab;

1.3.2.2 To asses response strategies to mitigate Al-Shabaab militia attacks in Kenya;

1.3.2.3 To recommend context specific response mechanism to counter Al-Shabaab militia attacks in Kenya.

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[22] Kagwanja, P."Counter-terrorism in the Horn of Africa: New security frontiers, old strategies", Institute for Security Studies, African Security Review 15.3, 2006.

[23] Makinda, S., "The European Union and the Fight Against Terrorism and its Impact on Democracy Building in Africa," International Institute Against and Electoral Assistance, 2009, p.8.

1.4 Literature Review

1.4.1 Understanding Militia groups

There has been little consensus on a proper definition of the term Militia group especially when one attempts to put in perspective the methods used and the overall objective of the militias acts as stipulated under international law. On one hand are the apologists who legitimize its use, arguing that disregarding the technique employed, the major goal and driving factor in such endeavours is quite legitimate and worthwhile.[24] Groups employing acts of terrorism portray this as a justifiable means to bring the world's attention to an injustice and thus act as an agent of change. They explain away the stigma by stating that one person's terrorist is another person's freedom fighter.[25]

The dominant view is that this method of conflict engagement is often carried out by illegitimate self-seeking agents of change who take it upon themselves to draw attention to their own ideologies and belief system while posing an unwarranted challenge to legitimate authority.[26] This view observes that the methods employed are taboo in international law what defines acceptable behaviour and that such acts often overshadow the issues that are alleged to be their driving factor. Various definitions have been put forward to explain this emerging issue in conflict circles. Miller defines terrorism as violent actions inflicted upon secondary targets that may be conducted by an individual, group or government with the wider purpose of attracting attention, gaining support, forcing concessions from the primary target on personal or political issues .[27] This definition recognizes the various levels of terrorism (from sub-national to state), the motives and the recipients of such acts. Mentan simply defines it as a contest between the resourceful against the powerful and alludes to the

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[24]Miller, Christopher, *A Glossary of Terms and Concepts in Peace and Conflict Studies*, 2nd Ed, (Cairo: University of Peace, 2005), page 75.

[25]Bergesen, Albert, Lizardo O.," International Terrorism and the World-System," in *Sociological Theory*, Vol. 22, No. 1, (Mar. 2004), pp. 38-52.

[26]Crenshaw Martha, "The Psychology of Terrorism: An Agenda for the 21st Century," in, Political *Psychology*, Vol. 21, No. 2 (2002), pp. 405-420.

[27]Miller Christopher., op cit.

difficulty in defining the term to the diversity in the cultural, economic political and ideological backgrounds of such opinion holders.[28]

For purposes of this study, Crenshaw's definition will suffice. She defines terrorism as a deliberate and systematic violence performed by a small number of people, purposely to intimidate watching popular audience by harming only a few, being pre-eminently political and symbolic, and clandestinely resisting authority.[29] The expectation of such acts of terrorism is to trigger a response from the primary target (the state) which will in turn draw public attention and support to its grievances or issues. As opposed to state terrorism-where a state supports or condones acts of terrorism, international terrorism denotes supra-national entities that carry out terrorist acts without being limited by national geographic spaces.

Terrorists such as Al-Shabaab have frequently used explosive devices as one of their most common weapons, since accessibility to the materials and technicalities involved in this Improvised Explosive Devices are readily available in hardware, auto supply stores, and books, internet respectively. The portability and flexibility of such explosives have made it transportable and easily or remote detonated respectively, in addition conventional bombs and weapons have been used to damage and destroy financial, political, social, and religious institutions.[30] Terror apparatus including Al-Shabaab are readily available to the State as State-owned machinery or equipment and those terror apparatus are used in cases where terrorism is perpetuated by the State or State influenced actors.

The definition of terror widely accepted by states is the use of force or violence against persons or property in violation of the criminal laws of a States/Nation for purposes of

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[28]MentanTatah, *Dilemmas of Weak States: Africa and Transnational Terrorism in the Twenty-First Century,* (Aldershot: Ashgate, 2004), pp 54.
[29]Miller Christopher., op cit.
[30]"Emergency Management Agency (EMA): Explosions," n.d, 2014, accessed October 4th , 2018, www.mymadisoncountyema.org/terrorism-explosions.shtml.

intimidation, coercion, or ransom.[31] This definition indicates that the act of terror can not only be tied to non-state parties, however, State actors also use act of terror i.e. violence or threat of violence on the population.[32] This State action includes the counterterrorism operations of the State.

In a 2015 report, about 14,000 terror attacks with 20,000 deaths were recorded in 2006; a figure higher than the 9,000 attacks with 18,000 deaths in 2013, the recorded death has increased while the numbers of attacks have reduced as compared to records between 2008 and 2012.[33] Out of the global deaths in 2013, 35% of the fatalities occurred in Iraq, followed by Afghanistan with 17%, Pakistan with 13%, and Nigeria with 10%.[34] Iraq (10 points) was ranked the first in global terrorism index in 2014, seconded by Afghanistan (9 points) and then Pakistan (9 points), before Nigeria (8 points), while Kenya (6 points) stood at the 12th position.[35]

1.4.2 The Nature of Terrorism

The term initially came into use in 1795 during the French Revolution when the revolutionary government made it legal to use terror against perceived opponents of the revolution. Revolutionaries in Czarist Russia advanced the use of terrorist acts almost a century later and since then terrorism has acquired a global presence. Present-day terrorism as witnessed with Al-Shabaab is characterized by the exploitation of the developed information communication and technology (ICT) system; faster transport systems that enable the individuals to traverse national borders with greater ease and frequency. The adoption of ideologies from extreme

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[31]DoD., Dictionary of Military and Associated Terms, (2001). Op.cit.
[32]Hoffman, B., Inside Terrorism. rev.ed. (New York: Columbia University Press, 2006).
[33]"Terrorism: number of deaths worldwide 2006-2013," *Statista*, n.d, , accessed October 4th , 2019, www.statista.com/statistics/202871/number-of-fatalities-by-terrorist-attacks-worldwide/.
[34]Countries with the highest number of deaths by terrorism 2013 Statistic," *Statista*, n.d, accessed October 12, 2018, www.statista.com/statistics/377061/countries-with-the-highest-number-of-deaths-by-terrorism.
[35]Global terrorism index 2014 Statistic," *Statista*, n.d, accessed October 9, 2019, www.statista.com/statistics/271514/globalterrorism-index.

forms of religions and far-right political ideologies has bred Islamic terrorists, Jewish and Hindu- ultra nationalists, European anti-immigration as well as racist groups.[36]

Modern-day terrorist groups including Al-Shabaab have developed complex organizational structures and levels of hierarchy that allow for vast networks of informants, thinkers, conveyors of commands and instructions, training grounds, safe havens or sleeper cells, sources of funding and collaborators. Well established groups such as Al-Shabaab with trans-national agendas and substantive resources have expanded operations to other national territories with the headquarters usually located in states characterized by lawlessness or minimal state jurisdiction. Yemen, Afghanistan, Pakistan, Lebanon and Somalia are such states. Other terror groups make use of state support to establish bases, such as in Sudan, Iran, Syria and Libya.[37]

Methods employed vary from one terrorist group to another and depending on the magnitude of the political statement, among other factors. The most widely-used has been suicide bomb attacks, grenade explosions, kidnappings (often followed by ransom demands or demand for release of comrades), airplane hijackings and guerrilla warfare (the Taliban in Afghanistan, Al-Shabaab in Somalia, Hamas in Palestine). Some extremist groups have formed political organizations to clandestinely advance their views and seek wider backing and/or take part in the political process as has been the case in Tunisia, Egypt (Muslim brotherhood), Gaza and Ireland (the Irish republican army).

1.4.3. Theories Explaining the Phenomenon

Various scholars have attempted to explain the driving factor behind the prevalence of acts of terrorism specifically Al-Shabaab. One school of thought focuses on individual and personal

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[36]Bleiker, Roland, Popular Dissent, Human Agency and Global Politics, (Cambridge University Press, 2000), page 24.
[37]MentanTatah, op cit. page 58.

attributes.[38] This school points to narcissist tendencies that are as a result of innate biological disorders that predispose such individuals to violence and to extreme views on issues such as legitimate authority, role of the individual in society and on appropriate avenues of conflict management and resolution. According to this school of thought, such a demented individual will desire to transform the world by his own efforts since he will view himself as responsible for bringing about order which will be initiated by any other quarter and any opposition must be eliminated by any means.

This view however does not explain the reason why such individuals are able to logically think out the problem and command the co-operation of other rational people who should discern the perceived flawed nature and subjectivity that inspires these leaders of terrorist groups. Another theory holds that terrorism is a causal effect of the globalization process. Bergesen identifies this viewpoint which explains the occurrence of terrorism as a defensive and reactionary opposition to global forces of cultural and economic change which are bent on domination at the expense of local business models, religious beliefs and different forms of political ordering.[39]

Globalization is viewed as an adverse process that seeks to impose absolute Western ideas without any adaptation or deference to the recipient community or nation's culture and economic systems. This theory however over generalizes and assumes a prescriptive type of globalization which has in reality been premised to a large extent on democratic values of consensus and consultation. It gives terrorist groups such as Al-Shabaab a reason to justify their actions in the absence of any other tangible reason. The theory of cultural violence as advanced by Johan Galtung identifies terrorism as a form of structural violence whereby there is some disconnect in the structure of relationships between people and those in

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[38]Crenshaw, Martha, "The Psychology of Terrorism," op cit.
[39]Bergesen, Albert, Lizardo O., "International Terrorism and the World-System," op cit.

authority.[40] Such relationships rely on the observance of certain rules and the fulfilment of obligations to exist and sustain themselves peacefully. The failure to adhere to rules or fulfil obligations by any party leads to a conflict situation in the structure of interactions which if not resolved leads to violent conflict.

This theory gives a useful exposition on understanding this subject and offers an insight on possible strategies of mitigating Al-Shabaab terrorist attacks. It however dwells on a one-lense approach in examining the incidence of terror attacks without putting into consideration the amorphous nature of terrorist grievances and the ever-changing trans-national activities. The theory fails to explain the reason for such groups resorting to violence and their rejection of dialogue and the fact that there is a legal barrier that curtails official peaceful means of resolving conflict. The theory also presumes that terrorist groups' such as Al-Shaba grievances are representative of a wider discontent. The world systems theory also offers insightful contribution in theorizing the occurrence of terror attacks on the line of the globalization theory.

It is clear that terrorist tendencies are prevalent in societies and nations where there is low state capacity or political will to provide security and fulfil basic needs of the people such as food, health, shelter and attendant wellness.[41] This predisposes citizens to poor conditions of life which are detrimental to societal peace and development. Marginalization, lack of national cohesion or ethnic unity and any consensus on the mode of political participation combine with low legitimacy levels bestowed on an incumbent government to breed conditions fertile for terrorist activities. The trigger normally occurs when there are militant elements such as Al-Shabaab that have had some training in terrorist ideology and methods to

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[40]Galtung Johan, "Cultural Violence," in *Journal of Peace Research*, Vol. 27, No. 3(1990) pp 291-305.
[41]Colliers J., "Terrorism in Africa," in *African Security Review*, Vol. 12 No. 4 (2004), pp 135-156.

infiltrate such societies with financing and seek to recruit for purposes of terror acts or to replenish personnel diminished due to attrition.

1.5 Research Methodology

1.5.1 Research Design

A case study approach is very effective because it allows for deeper investigation and enhances collection of key information and detailed analysis of specific phenomenon. This study zeroed in on the impacts of Al-Shabaab terrorism in the horn of Africa using Kenya as a case study. Case studies provide rich raw material for advancing theoretical ideas. They provide insight at all stages of the theory building process and probably most valuable in testing new theories, and new information that holds across many cases can stimulate new theoretical thinking. In addition they can be used as both a research and teaching tool.

1.5.2 Data Collection Methods

This study used information from secondary sources. Secondary sources included journals, book reviews, newspapers, internet sources-pdf documents and policy documents from the ministries of foreign affairs.

Secondary data collected from books, journal, articles and periodicals helped capture what has already been done on intelligence and terrorism from a global, regional, national and up to the local level, this information will help creating undertaking of intelligence agencies.

1.5.3 Data Analysis and Presentation

The data was recorded, organized and summarized in sample content form for presentation.

1.6 Chapter Outline

Chapter one; Introduction to the study. Chapter one covered the introduction to the research study, background of the study, broad context of the research study, statement of the problem,

justification of the study, theoretical framework, literature review, hypotheses and the study methodology.

Chapter two; the discourse of militia groups such as Al-Shabaab; Chapter two evaluated discourses of militia groups, literature review on the definitions and characteristics of militia groups. Chapter two provided a broad review of literature on the various definitions, debates on terrorism, theories, and characteristics of terrorism.

Chapter three; an assessment of global response strategies to mitigate their effects of militia groups; Chapter three examined the response strategies to mitigate the effects of militia groups among the various responsible agencies. This chapter further examined the success of international, regional and local actors in responding to the challenges of terrorism and the normative and institutional frameworks put in place in counter-terrorism.

Chapter four; context specific response mechanism to counter Al-Shabaab militia attacks in Kenya; Chapter four established the strategies adopted by the government to counter Al-Shabaab militia attacks in Kenya.

Chapter five; summary, conclusion and recommendation; Chapter five factors on the summary findings, conclusion from the study recommended interventions bibliography, appendix and future study suggestions.

CHAPTER TWO

THE DISCOURSE OF MILITIA GROUPS IN THE HORN OF AFRICA

2.1 Introduction

The Horn of Africa is a geopolitical region in the larger Eastern Africa that comprises of Somali, Djibouti , Eritrea , Ethiopia, Sudan (and also South Sudan) and Kenya. In this discourse on militia groups, it is important to note that due to its proximity, the Horn of Africa is affected by the Middle East and Great Lakes conflict systems and the wider global geopolitics of international security. The situational positioning of this region and the distinct historical conflict experiences of countries therein has to a large extent impacted on the incidence of militia groupings. This chapter looks at definitions, characteristics of militia groups and the role these dimensions have contributed to the prevalence of militia groups by probing each country's experiences in the Horn. Terrorism has been visible in this region in the form of actors, victims, sponsors and safe havens for militia groups.

2.2 Conflict Trend in the Horn of Africa

This region has witnessed protracted violent conflicts and complex across border attacks. For instance, Ethiopia and Kenya had to contend with Somalia's supra- nationalist tendencies while South Sudan and Eritrea gained their independence after several decades of guerilla war. Somalia is yet to emerge from lawlessness since Siad Barre's ouster in 1991. Furthermore, pastoralists in the border regions of Kenya, Uganda, Sudan and Ethiopia, being driven by the pursuit of water and pasture have severally obliterated the limits of international boundaries (and the attendant procedures for cross-border immigration) and on sovereign natural resources to even engage in skirmishes in a natural resource-based conflict.

Wassara argues that this has fuelled lawless international borders and has provided fertile grounds for rebel movements and even individuals with terrorist tendencies to establish safe

havens in these border regions.[42] He cites the example of Lord Resistance Army which operated in the region between Uganda and south Sudan and Central Africa Republic and the Oromo Liberation Front (OLF) also made use of the Ethiopia Kenya border to carry out its guerilla war. The core of the Horn of Africa conflict system has been Sudan and Somalia with the former embroiled in a civil war that culminated in the birth of South Sudan as an independent state. Somalia is still grappling with low government visibility, inter clan animosity and growth of Islamic fundamentalism that has spread its tenterhooks into Kenya and the world at large.

2.2.1 Sudan

Sudan's footprint on the terrorism discourse stems from its long-running dalliance with Islamic fundamentalism, the central placement of Islamic law (sharia) as the source of social and political ordering of the state and nation and the use of this political Islam to achieve national objectives of perpetuating government rule. Deng notes that the root cause of the conflict in Sudan is the dissonance on national identity so that whereas the majority Muslim North identified itself more with Islamic and Arabic northern neighbors[43] and sought to impose this view on the whole nation, the predominantly Christian and animist south saw itself as marginalized in a state where Islam was the religion and law while Arabic was the language and sought to resist the North's attempt to Islamize it.

Verjee notes that in post-independent Sudan, the politics of confrontation have preceded dialogue and democratic percepts upon independence.[44] The South's quest for greater say in the affairs of the state and the North's intransigence bred rebellions by the SPLM (Sudan People's Liberation Movement) and other groups in Northern Sudan such as the JEM (Justice

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[42]Wassara, Samson, S., "Security Challenges in Post-Liberation South Sudan," in, African Research and Resource Forum's State Building and Development in South Sudan,(Nairobi:2011),pp.49-71.

[43]Deng, Francis, M., Sudan: A Nation in Turbulent Search of Itself," in, Annals of the American Political and Social Science, Vol.603, (January 2006), pp.155-162.

[44]Verjee, Aly, "New North, Old North: Republic of Sudan after the Split," in, Heinrich Boll Foundation and Weiss Toni (Eds), Sudan after Separation: New Approaches to a New Religion, Vol.28 (In the Publication Series on Democracy), 2012, pp.35-45.

and Equality Movement) and the SLM/A (Sudan Liberian Movement and Army). Deng faults the northern government approach of sponsoring counter-insurgent militias such as the Arabic Janjaweed in Darfur. He notes that this breeds a culture of violence and militancy without actually solving the deep-seated causes of the conflict.[45] Magdi concurs and notes that the desire to extend Dar-Es-Salaam (the territory of Islam) has driven al Bashir's proxy armies (such as the PDF and Janjaweed) to alienate the country further rather than seeking reconciliation.

Sudan has impacted on conflict in the region by first of all engaging in a protracted civil war with the south that culminated with south Sudan's independence in Jan 2005. Secondly, Sudan has supported Islamic militia within its territory the Janjaweed as well as rebel groups in Uganda (LRA), Eritrea and Ethiopia (OLF and WSLF).[46] Thirdly, Sudan, under the auspices of PAIC has provided safe sanctuaries for prominent terrorists groups in the 1990s who eventually carried out attacks in the region (specifically in Kenya, Tanzania, Uganda and Somalia).Sudan's implication in the attempted assassination of Egypt President Hosni Mubarak in Ethiopia in 2005 and the funding of Islamic charities in Somalia have fuelled wide held belief of Sudan's complicity as a state sponsor of terrorism.[47] In fact, it is still listed by the US as one of the key sponsors of terrorism and even it suffered a US retaliatory strike in 1998 after being accused of providing the logistics for the August 7th ,1998 Nairobi and Dar-Es-Salaam bombings[48].

2.2.2 Somalia

Somali has, due to its lawless state and lack of government control over its territorial integrity, provided an accommodating environment for fugitives and terrorists to hide and

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[45]Deng Francis, M., "The Paradox of Southern Independence–Some Personal Reflections," in, Heinrich Boll Foundation and Weiss, Toni (Eds), Sudan after Separation: New Approaches to a New Region, Vol.28 (In the Publication Series on Democracy 2012) pp.11-20.
[46]Mwagiru, Makumi, "Conflict and Peace Management in the Horn of Africa: Theoretical and Practical Perspectives," op cit.
[47]Rotberg R., Battling Terrorism in the Horn of Africa, op cit.
[48] Ibidi.

plan attacks not only in the region but worldwide. Gilkes observes that access to Somalia is largely unrestricted due to absence of customs or immigration officials to patrol the long Indian Ocean Coastline that has consequently attracted militants fleeing from the hotspots of Afghanistan, Iraq, Yemen and Egypt.[49] Marchal, on the other hand identifies the endemic poverty life in Somalia due to State decline as having accentuated the need for alternative service providers which has been filled by Islamic charities some of which have turned out to be recruiting agencies for potential militants.[50]

Somalia's degeneration into anarchy that led to its infamous perverse role as the regional hub for terrorist has been a result of years of patrimonialism, the militarization of the state and being a victim of Cold War politics. Nyong'o argues that the Somali, though linguistically and culturally homogeneous, are deeply divided along elaborate clan and sub-clan structures. Political identity and loyalty were determined by these structures and due to their nomadic lifestyle and quest for pasture; they developed into fiercely independent people whose unity was determined by access to these scarce resources.[51] The stewardship of Somalia in the Cold War era under said Barre ensured his perpetuation by the US and supra-national aspirations to make most use of American military and financial backing to sustain himself.

Since 1997 after the withdrawal of the American backing at the end of Cold War, Somalia has had to contend with a civil war that has led to government failure to provide service sand guarantee territorial sovereignty of the state, massive displacement of people that has bred widespread national disharmony and general socio-economic decline. Menkhaus observes that international reluctance to intervene in Somali after United Nation's Mission in Somalia (UNOSOM) debacle has left Somalia to rely on informal groups for the provision of basic

[49]Gilkes, Patrick, "From Peacekeeping to Peace Enforcement, the Somalia Precedent," in Middle East Report, Vol.185, (November/December 1993), pp. 21-29.
[50]Marchal. Roland, "Warlordism and Terrorism: How to Obscure an already Confusing Crisis? The Case of Somalia," in, International Affairs, (Royal Institute of International Affairs 1944-), Vol.83, No.6, (November 2007), pp.1091-1106.
[51]Anyang' Nyong'o, P., (Ed), Arms and Daggers in the Heart of Africa: Studies on Internal Conflicts, (Nairobi: Academy Of Science Publishers, 1993), pp.67-100.

social amenities.[52] Such groups have turned out to be terror groups. Gilkes notes the how the decline of the Somali state has coincided with Islamic fundamentalism. He traces its origin to al Itahad al-Islami that came to prominence in June 1992 when it temporarily seized control of swathes of Somali territory. This group was believed to have links with the International Islamic Relief Organization and the Muslim World League which ran charities in Somalia and had variously been accused of funding Islamic fundamentalism in Sudan.[53]

Islamic fundamentalists, (some foreign) gradually transformed from provision of social services such as money transfer services, water, education, to being political organizations that sought absolute control of the Somali state. The Islamic Courts Union formed government in 2005 but the infiltration of Islamic radicals further fuelled conflict in Somalia. It is worth noting that the decline of the Somali state has coincided with global preoccupation with combating terrorism with Western Coalitions going to war against the Taliban in Afghanistan and in Iraq and drone attacks in Yemen and Pakistan. Somalia has provided the safe haven for fleeing Islamic militants who regroup and seek retaliatory attacks on western interest in the region. It is indicative that al-Shabaab that advances Islamic ideals has emerged as Al-Qaeda's proxy in the region. Illegal immigration, free flow of contraband weapons and arms has put the region in a security challenge that has necessitated a timely response.

2.2.3. Ethiopia

Ethiopia, alongside Somali, Djibouti and Kenya emerged as key to the Cold War sphere of influence between the US and USSR .These countries were strategically located in the Red Sea region in the neighbourhood of the Middle East oil fields and control to the access route

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[52]Menkhaus, Ken, "Governance without Government in Somalia, Spoilers, State Building and the Politics of Coping," in, International Security, Vol.31.No.3, (Winter 2006/2007), pp.74-106.
[53]Gilkes, Patrick, "From Peacekeeping to Peace Enforcement, the Somalia Precedent," in Middle East Report, Vol.185, (November/December 1993), pp. 21-29.

to and from Europe and Asia was via these countries .The USSR countered US influence in Kenya and Somali by propping up Mengistu Haile Mariam's regime. Ethiopia is 45% Christian, 40% Muslim and 5% being traditionalists. It shares long porous borders with Kenya and unsettled neighbours Somalia, Sudan and Eritrea and its 1977 Ogaden war with Somali was caused by Somalia's supra-nationalism and Ethiopian Ogaden Somali irredentist.

Rotberg notes that the subsequent bad blood between Ethiopia and Somalia has been informed by claims of Somali support to Ethiopian rebels and their use of Somali territory to destabilize Ethiopia[54] but similar irredentist claims by the Oromo Liberation Front (OLF) have made it imperative for Ethiopia to seek to secure its borders by twice invading Somalia. Besides having to deal with internal; and cross-border security challenges Ethiopia had to emerge from decades of economic stagnation and political repression under Emperor Haile Sellasie and Mengistu Haile Mariam as well as a costly war of independence instituted by the Eritrean People Liberation Front (EPLF) and limited war between an independent Eritrea and Ethiopia.

The post-cold war realities of reduced Soviet support propelled the Mengistu regime out of power as challenges to State monopoly grew all around Addis Ababa. Terrorism has been viewed by Ethiopia as emanating from state- sponsored groups from Eritrea and Sudan and from infiltration by militants from Somalia. It has therefore sought a military solution, twice occupying Somali to neutralize Islamic Radicals in the border region. It has also been a key regional ally to the US-led war on terror.

2.2.4 Eritrea

Eritrea has been termed as a rogue state[55] due to its alleged sponsorship of terrorist activities in the region. The country is predominantly Muslim with little Christian presence which is

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[54]Rotberg R., Battling Terrorism in the Horn of Africa, op cit.
[55] Rotberg R., Battling Terrorism in the Horn of Africa, op cit.

state-controlled.[56] Eritrea was originally Ethiopians Northern Province before and protracted war of independence led by the Eritrean People's Liberation Front (EPLF). Upon independence in 1993, the country has been led by Isayas Aferworki whose autocratic regime has been a pariah in the Horn, having severally been accused of State sponsorship of terrorism by Ethiopia and Kenya which even led to the United Nations Security Council (UNSC) to impose sanctions on it.[57] Eritrea's actions have exacerbated terrorists incidences and overall instability in the region.

2.2.5 Djibouti

Djibouti is a former colony situated in the Gulf of Aden adjacent to the Arabian Peninsula. It is a tiny Horn of Africa State sandwiched between Ethiopia, Eritrea and Somali that has maximized the France-Djibouti defense pact to guarantee national and human security and remain remarkably stable since independence. Rotberg observes that its strategic location has ensured that it plays a key role in the France–American counter-terrorists strategies in the Horn of Africa and the Middle East by playing host to expansive French and US military presence that not only guards the southern entrance to the Red Sea from Yemen and against piracy but also provide a safe and secure launch pad for U.S. led reconnaissance and intelligence gathering in the region.[58] Djibouti's role in this terrorism emerges as an active global partner to the war on terror and its relative peace and security and comparatively higher regional economic development indicators has precluded the mushrooming of terrorist inclinations. It however emerges that Djibouti has not instituted indigenous solutions to a regional problem but rather has sought to secure its territory and gain economically from US and French presence on its soil.

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[56]Ibidi.
[57]Patman, Robert G., The Soviet Union in the Horn of Africa: The Diplomacy of Intervention and Disengagement, (Cambridge: Cambridge University Press, 2001), page 66.
[58]Rotberg R., Battling Terrorism in the Horn of Africa, op cit.

2.2.6 Uganda

Uganda has been a victim of terrorist retaliatory attacks largely attributable to its recent lead role in the African Union-led Africa Mission in Somalia (AMISOM). The internationalization of conflict in Somalia has been evidenced by this Ugandan involvement with the aim of forestalling the spread of terror acts in the region that has affected regional economies. The lawless nature of the Somali state has bred terror groups and high incidences of piracy along the East African coast that has impacted negatively on the Ugandan economy due to delays in import and export of goods then distorting government economic planning and reduced Uganda's competitive ability to attract investors to spur economic development. Uganda has thus been affected by terrorism and the attendant insecurity and has sought to act to safeguard the national interests of economic development. The Ugandan government has also sought to ensure the safeguarding of its territorial integrity in the face of Sudan-backed Lord's resistance Army (LRA).[59] Uganda's proximity to the Great lakes region and volatile Central Africa has meant that the country has become a transit route for SALWs in the region, with some of these weapons ending up in the hands of terrorists. Uganda briefly played host to Islamic fundamentalists under the dictatorship of Idi Amin. He provided State resources to terrorists groups from Algeria, Libya, Palestine and Egypt.

2.3 Kenya's Placement in the Horn of Africa

A detailed examination of Kenya's experience with terrorism and her effects at managing the same will be the focus of the succeeding chapter in this study but suffice to say that proximity to insecure neighbours has had negative consequences on its national security Kenya's quest for economic development. The country shares long porous borders with Somalia and Ethiopia which provide unchecked entry and exit of illegal human traffic and cargo. The country is also home to hundreds of thousands of refugees fleeing conflicts in Eritrea,

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[59]Wassara, Samson, S., "Security Challenges in Post-Liberation South Sudan," op cit.

Somalia, Sudan, Ethiopia and the Great Lakes Region. These refugees have posed a security challenge to the country as some have been militants disguised as refugees in order to hide from the security forces or to carry out proselytization and recruitment of youths into militant groups.

The sharing of maritime borders in the Indian Ocean between Kenya and Somalia has bred piracy and attendant insecurity especially in light of the latter's lawlessness so that vessels or ships with regional goods seeking the use of Mombasa port now have to contend with extra expenses of ensuring their security and more time at sea .Furthermore, Kenya's centrality, both geographically and strategically, to East Africa's economic and security considerations has meant that Kenya's peace and security is paramount to regional prosperity. This has meant that the disruptive influence of terror attacks impacts not only Kenya but Uganda, Tanzania, the Democratic Republic of Congo, Ethiopia and South Sudan. Kenya, being home to Western interests due to her long-standing Western ties also has to safeguard her attractiveness to foreign investment by guaranteeing safety of existing Western Conglomerates.

Kenya finds itself surrounded by sponsors of terrorism (Sudan and Eritrea), victims of terrorist attacks seeking to safeguard territorial integrity in the face of terrorist onslaught (Uganda and Ethiopia) and sanctuaries of terrorists groups (Somalia). The country is home to illegal immigrants, refugees and thousands of small arms and light weapons. Its borders are not effectively being patrolled and the homogeneity of its North Eastern population with Its Somali cousins renders security check highly sensitive in a country with an active Muslim civil society. The dilemma for the country is to ensure its safety with little expense to Muslim disquiet (politically) in the face of regional disharmony. The country also needs to balance national; strategic with regional and global effects at combating this security challenge.

2.4 Al-Shabaab, its operations and organization structure

Contemporary terror threats in the HOA come from the terrorist organization, Al- Shabaab. The terror organization was founded in 2004 and has about 9,000 militants as at 2014.[60] The group is labeled and considered a terror group by most countries.[61] Al-Shabaab is typified as a dispersed entity with its ruling class picked from different opposing clans and thus raising the possibility of internal political divisions. The preponderance of its fighters was interested mostly in the nationalistic battle against the TFG in Mogadishu and was later supportive of global Jihad. Most of its high ranking leadership is believed to have trained in Afghanistan and orchestrated the bombings in Kampala, Uganda, on July 11th, 2010.[62] However, considering its mechanisms and day to day operations, Al-Shabaab can be compared to the Taliban in Afghanistan and Pakistan. After the participation of TFG and AMISOM in retaking Mogadishu in 2005, Al-Shabaab has since engaged in numerous and uncountable terror attacks.[63] Al- Shabaab leaders unremittingly call on the rebellion against TGF and AMISOM.

The organization has affiliation and stronger ties with Al-Qaeda, and with an increasing influence of command in neighbouring nations and Islamic countries. Terror entities in Africa like the Al-Shabaab, Al-Qaeda and Boko Haram have forged an alliance and coordinate attacks against the West and other entities that oppose their goal and ideology.[64]

Al-Shabaab spreads their propaganda through various media outfits. It controls its own radio station, Radio Andalus. It has acquired relay stations and captured other equipment from

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[60]Mcclatchydc.com, "Al-Shabaab led by "dozens of foreign jihadists, most from Arab nations", 12th/August/2019. Retrieved on 22 June 2016, from http://web.archive.org/web/20091207062210/http://www.mcclatchydc.com:80/world/story/56098.html.

[61]Peter Tase, "Terrorism, War and Conflict, an analysis into the Horn of Africa," Academicus - International Scientific Journal, 2012.

[62]Peter Tase, "Terrorism, War and Conflict, an analysis into the Horn of Africa," Academicus - International Scientific Journal, 2012..

[63] Peter Tase, "Terrorism, War and Conflict, an analysis into the Horn of Africa," Academicus - International Scientific Journal, 2012.

[64]Ibidi.

private radio stations, including some from the BBC.[65] Regardless, the radio, the Internet is the most heavily utilized by Al-Shabaab as it is the easiest and cheapest way to reach a large audience. They have been using online forums and chat rooms to recruit young followers. It had a website which has been taken down where it featured posts, videos and official statements in Arabic, English, and Somali.

Before mid-2011, Al-Shabaab was managing a propaganda television station the year before. The organization has also made use of a Twitter account with the name HSMPress,[66] which attracted over eight thousand followers. The account was later suspended by Twitter in January 2013. The group later opened a new Twitter account on February 4, 2013,[67] which Twitter closed the again on 6 September, 2013. As at 2015, the organization has retreated from the major cities, controlling a few rural areas.[68]

Among the attacks carried out by the militia group in Kenya include; The West Gate Mall attack on 21st September 2013 in which 67 people were killed and 175 wounded. The other one is; The Garissa University College of 2nd April 2015. Where 147 people majorly students were killed and 79 wounded.

2.5 Conclusions

Whereas Kenya has been a victim of terrorism and has sought to minimize its occurrence in the country, Sudan has been known to be an active sponsor, source of and safe haven to radical Islamic groups. Djibouti and Ethiopia on the other hand have been strategic partners to the US-led war on terror, providing naval and land bases and in Ethiopia's case has even acted to prevent radical Islamists from finding targets and safe haven on its territory. Somalia, due to its prolonged lawless state has over time been the logistical centre for terrorist

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[65]ABC News, "Al Qaeda Group Is Back on Twitter After Ban", 4 February 2013.Retrieved on 12th/August/2019, from http://abcnews.go.com/Blotter/al-qaeda-group-back-twitter-ban/story?id=18400844.
[66]ABC News, "Al Qaeda Group Is Back on Twitter After Ban", 4 February 2013.Retrieved on 12th/August/2019, from http://abcnews.go.com/Blotter/al-qaeda-group-back-twitter-ban/story?id=18400844.
[67]Ibidi.
[68]VOA, "UN Points to Progress in Battling Al-Shabab in Somalia", 3 January 2015.

operations within the region and globally. The internationalization of conflict in the Horn of Africa has ensured that peace and security in the region has to be holistically addressed without focusing on national boundaries. During the Cold War, the trend of conflicts in the Horn was to a large extent determined by the superpowers rivalry between the USA and U.S.S.R. The shifting hegemonic influence of these superpowers added on to the negative effects of colonialism (mainly in the form of nationalism and national identity crises) to fuel conflicts in Ethiopia, Somalia and Eritrea.

Somalia and Sudan are yet to emerge from decades of conflict while Ethiopia and Eritrea still maintain bellicose relations with each other. The internationalization of conflict has also brought with it first of all the proliferation of small arms and light weapons (SALWs) - the chief weapons in terror acts. Secondly it has reduced states' capacity to control illegal border movements of SALWs and individuals with terrorist tendencies. The dimension these conflicts have taken has therefore created a fertile ground for terrorism to thrive, with Somalia, Sudan and Eritrea now known to be the regional hatcheries for terrorists. These conflicts have hugely contributed to the incidence of terrorism, a problem that is negatively affecting economic development, inhibiting the enjoyment of individual freedoms and liberties, diverting public resources to its management that would otherwise be used in regional development, increasing public insecurity. This study now attempts to dissect the Horn of Africa conflict system to establish the connectedness of historical expenses and conflicts in individual countries to terrorism while examining the regional peculiarities of terrorism and efforts to manage this security challenge.

The Horn of Africa conflict system has witnessed numerous conflicts since independence which have impacted on the current trends in terrorist attacks in the region. The regions Cold War and post-Cold War expediency has impacted on the destiny of the Horn in peace and security terms. Islamic fundamentalism has been nurtured in the Middle East and imported to

the Horn to serve the interests of the terror group that have taken advantage of weak governmental structures or state complicity to establish footholds in the region and thus carry out attacks. Combating terrorism has largely been left to national governments with little or ineffective regional mechanism being instituted

CHAPTER THREE

RESPONSE STRATEGIES TO MITIGATE THE EFFECTS OF MILITIA GROUPS

3.1 The role of International and Regional Bodies

A number of international and regional bodies have invested immensely in efforts towards combating terrorism both within the horn of Africa and by extension globally, they have focused on local issues that makes them well suited to develop approaches that take into account cultural and other contextual issues and undertake region or sub-region-specific initiatives that complement and build upon global counterterrorism objectives through increasing a sense of local ownership of global initiatives and fostering interest and maintaining momentum on the ground that is key in implementing counterterrorism initiatives. Some of their efforts include the exchange of expertise and information among governmental and non-governmental experts, as well as the sharing of good national practices and lessons learned from national implementation among the various countries.

3.1.1 The United Nations and Counterterrorism in the Horn of Africa

The United Nations General Assembly unanimously adopted the United Nations Global Counter-Terrorism Strategy (UNGC-T Strategy) on 8 September 2006, which called for a holistic, inclusive approach to counterterrorism. Both the UNGC-T Strategy and the 2008 Resolution adopted by the General Assembly recognize the need to enhance the role of regional and sub-regional organizations (SROs) as well as other stakeholders especially the UN member states.[69] This included the establishment of the UN Counter-Terrorism Implementation Task Force (UNC-T Task Force) and its working groups. It presents a unique

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[69] United Nations (2011*), Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 1916 (2010)*, UN Doc. S/2011/433.

opportunity to improve both regional counterterrorism cooperation in East Africa and the United Nations systems engagement with the sub-region.[70]

The United Nation plan includes measures to address conditions conducive to the spread of terrorism, measures to prevent and combat terrorism, capacity-building, and an approach based on human rights and the rule of law to counter terrorist threats. The plan is holistic and reinforces what many East African terrorism experts have long believed, namely that an effective counterterrorism strategy must combine preventative measures that address both real and perceived grievances and underlying social, economic, and political conditions[71].Given the significant capacity gaps and vulnerabilities in the East African region, nearly every part of the United Nations system represented on the United Nations Counterterrorism Implementation Task Force has an important role to play in building counterterrorism capacity in East Africa.

3.1.2 The European Union and Counterterrorism in Horn of Africa

The European Union has adopted a very broad approach to cooperation with Africa. Most European Union diplomatic and policy interventions in Africa are undertaken within the framework of Cotonou Partnership Agreement and the Africa-European Union Strategic Partnership Agreement which calls for cooperation in various areas, including politics, development and security. Under these treaties parties commit to the implementation of United Nations Security Council Resolutions 1325 on Women in Peace and Security and 1612 on Children in Armed Conflict[72]. Both the European Union and the African Union have

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[70] United Nations (2011*), Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 1916 (2010)*, UN Doc. S/2011/433.
[71] Rosand, E, Millar, A., and Ipe, J. (2007), „Enhancing Counter-terrorism in Eastern Africa, " African Security Review, 18:2.
[72]Africa-EU Strategic Partnership (2007). Council of the European Union.http://www.consilium.europa.eu/uedocs/cms_data/librairie/PDF/EN_AFRICA_inter 08.pdf.Accessed 29 October 2019.

an interest in undertaking measures to protect children in wars, empower women, and offer protection to women in situations of war and conflict.[73]

As set out in its Action Plan to Combat Terrorism, the European Union seeks to address root causes of terrorism to tackle the factors that lead to the recruitment and radicalization of people by radical Islamist organizations.[74] The European Union Political and Security Committee (EU-PSC) and the African Union Peace and Security Council (AU-PSC) have held regular consultations on security matters, including the operationalization of the African Peace and Security Architecture (APSA), especially as it relates to the Continental Early Warning System and the African Standby Force. The European Union has funded a counterterrorism programme through IGAD.[75] It has also been a strong supporter of the peace and state-building process in Somalia and launched the European Union Training Mission–Somalia (EUTM Somalia). The EUTM seeks to provide specialized training to up to 2,000 Somali soldiers. In particular, the mission is a response to the Somali Transitional Federal Government (TFG) in Somalia, which had expressed its need for some 5,000 well-trained soldiers.[76]

3.1.3 The International organization for Migration (IOM)

The International organization for migration plays a key role in helping counter terrorism effort in the Horn of Africa. The organization runs training centres for the immigration personnel on security issues in collaboration with governments in the region. Its focused on

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[73] European Council (2005).The European Union Counter-Terrorism Strategy. Council of the European Union, 14469/4/05, REV 4, 30.http: // register. consilium. eu.int /pdf /en/05/ st14/st14469-re04.en05.pdf Accessed on 28 October 2019.

[74] Makinda, S. (2009), „The European Union and the Fight Against Terrorism and its Impact on Democracy Building in Africa," *International Institute Against and Electoral Assistance,* p.6.

[75] IGAD (2007).Inter Governmental Authority on Development.*The Kampala Statement*, "Meeting of Ministers of Justice of IGAD member states on legal cooperation against terrorism, " Kampala, Uganda, 20–21 September. http: //www. igad. org/ index.php? option=com_content&task=view&id=70&Itemid=65. Accessed 25 October 2019.

[76] European Council (2005).The European Union Counter-Terrorism Strategy.Council of the European Union, 14469/4/05, REV 4, 30.http: // register. consilium. eu.int /pdf /en/05/ st14/st14469-re04.en05.pdf Accessed on 28 October 2019.

increasing the local capacities on biometrics screenings at border check points, assist in co-coordinating inter-ministerial efforts on harmonizing the legal and other aspects of counter terrorism effort in the region.[77] The screening has been much helpful in checking what comes in through border points. However the sparse population, uninhabited and poorly patrolled areas creates ideal entry points not only for terrorists but smugglers as well.[78] Some nations are also suspected to be an impediments towards efforts of curbing arms trafficking which helps in the advancement of terrorist agendas. Countries and organizations such as Djibouti, Egypt, Eritrea, Iran, Libya, Lebanese Hezbollah, Saudi Arabia, and Syria have been accused of providing arms, training, and logistical support to the Islamic Courts Union, while Ethiopia, Uganda, and Yemen have been suspected to have provided military assistance to the Somalia transitional government.[79] Arms trading networks based in Yemen have also facilitated large shipments of arms to a number of groups engaged in the conflict in Somalia; the same networks have also supplied arms to the administration in Puntland.[80]

3.1.4 The U.S. Counter-terrorism Programs in the Horn of Africa

The United States Combined Joint Task Force-Horn of Africa (CJTF-HOA) is a component of the wider U.S. Africa Command (AFRICOM), which was established in October, 2008. CJTF-HOA operations encompass Kenya, Ethiopia, Eritrea, Sudan, Somalia, Djibouti, Yemen, and the Seychelles and it also works on projects in Uganda and Tanzania.[81] The CJTF-HOA also recognizes the importance of civil affairs operations in efforts towards countering insurgency and terrorism. Hence, it has focused on providing civil affairs training

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[77]IOM (2011).International Oragnization for Migration .World migration Report 2011.publication .i.o.mint/bookstore/free/WMR2011_English.pdf.Accessed on 21 October 2019.

[78] Ibidi

[79] Kimunguyi.P. (2010) *Terrorism and Counter terrorism in East Africa* Research Fellow, Global Terrorism Research Centre and Monash European and EU Centre Monash University.

[80] International Crisis Group. (2007).Somalis divided islamist.Africa briefing .No 74. http:// www.crisssgroup.org/en/regions/africa/hum-of-africa/somaliaBO74-somalias-divided islamist. aspx.Accesed on 11th October 2019.

[81] United Nations (2008), *United Nations Global Counter-Terrorism Strategy: Activities of the United Nations System in Implementing the Strategy*, Report of the Secretary-General, UN Doc. A/62/998, Annex. 7th November 2019.

to personnel in Uganda, Tanzania, Kenya, Djibouti, and Yemen and it has also contributed towards renovation of schools in Djibouti and Ethiopia provided medical and veterinary services; and drilled water wells in Kenya.[82] The main Western counterterrorism programme in the Horn of Africa and East Africa is the East Africa Counter-Terrorism Initiative (EACTI) led by the U.S. This programme has been based on the model of the Trans-Sahara Counter-Terrorism Initiative (TSCTI) and the Global Peace Operations Initiative (GPOI).[83]

3.1.5 The African Union (AU)

The African Union plays an important role within the African Continent, especially in the areas of peacekeeping, conflict prevention and crisis management. In the context of counterterrorism, the three dimensions of the African Union engagement are important given the Horn of Africa persistent regional tensions and conflicts which allow terrorist activities to flourish. It has taken a broad approach based on a framework of treaties aimed at countering terrorism (African review, 2011) Such as the establishment of the African Centre for study and research of Terrorisms (ACSRT) in 2004. African Centre for study and research of Terrorisms is responsible for organizing functions aimed at improving counterterrorism capacities and cooperation among African Unions member states, Its mandated to educate members states about the threat of terrorism in Africa, provide capacity-building assistance to enhance national and regional capabilities, create a mechanism for all member states to access expert guidance, build a database to facilitate the sharing of intelligence and other terrorism-related information, harmonize and standardize domestic legal frameworks with the African Union members states and international counterterrorism frameworks, and

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[82] United Nations (2008), *United Nations Global Counter-Terrorism Strategy: Activities of the United Nations System in Implementing the Strategy*, Report of the Secretary-General, UN Doc. A/62/998, Annex. 7th November 2019.

[83] United Nations (2011*), Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 1916 (2010)*, UN Doc. S/2011/433.

disseminate counterterrorism research across the African continent.[84] The African Centre for study and research of Terrorisms, envisions a highly integrated network of state and regional economic communities. However realization of it full multi-dimensional mandate has had restriction due to financial constraints among other factors such as lack of full cooperation from fellow member states[85].

3.1.6 Intergovernmental Authority on Development (IGAD)

The Intergovernmental Authority on Development was established with the main focus on development issues yet over time the organization gradually took on security matters. In 2006, The Intergovernmental Authority on Development (IGAD) launched a four-year programme in Addis Ababa called the, funded by EU and other donors.[86] The programme largely focused on enhancing judicial measures, working to promote greater inter-agency coordination on counterterrorism within individual IGAD member states, enhancing border control, providing training sharing information and promoting strategic cooperation. In 2007, IGAD Capacity Building Program against Terrorism (ICPAT) organized an IGAD ministerial-level meeting on countering terrorism in Kampala to which six IGAD member states sent high-level delegations. The statement adopted in Kampala called on IGAD members, to take the necessary legal, administrative, and regulatory measures to counter terrorism. These included establishing inter-ministerial counterterrorism coordination mechanisms in each country, respect of human rights while countering terrorism, exchange of information and experiences related to combating terrorism through the establishment of a forum of counterterrorism experts. The Kampala statement also requests member states to

[84] Rosand, E, Millar, A., and Ipe, J. (2007), „Enhancing Counter-terrorism in Eastern Africa, " *African Security Review*, 18:2.
[85] Africa-EU Strategic Partnership (2007).Council of the European Union.http://www.consilium.europa.eu/uedocs/cms_data/librairie/PDF/EN_AFRICA_inter 08.pdf.Accessed 28 October 2019.
[86] IGAD (2007).Inter Governmental Authority on Development.*The Kampala Statement*, "Meeting of Ministers of Justice of IGAD member states on legal cooperation against terrorism, " Kampala, Uganda, 20–21 September. http: //www. igad. org/ index.php? option=com_content&task=view&id=70&Itemid=65. Accessed 28 October 2019.

implement the UN Global Counterterrorism Strategy.[87] However the IGAD Capacity Building Program against Terrorism has faced a number of challenges which hinder the development of a successful sub-regional security and counterterrorism agenda. It has had difficulties to launch a special programme for Somalia in light of its unique needs. The exclusion of Eritrea from the IGAD forum has a negative impact on the overall effectiveness of ICPAT. Little political will among the member states countries especially in East Africa to cooperate to implement effective counterterrorism strategies.[88] To help sustain its involvement in the sub region, IGAD Capacity Building Program against Terrorism has sought support on several joint counterterrorism initiatives in the sub region, including training for senior criminal justice officials, legislative drafting workshops, and the production and dissemination of joint technical assistance tools.[89]

3.2 counter-terrorism Strategies in Kenya

Kenya has been a victim of international terrorism in recent years, perpetrated by al-Qaeda and associated groups in East Africa and the Horn. Al-Shabaab is increasingly becoming a direct security threat to Kenya, prompting Kenyan military intervention in Somalia.

3.2.1 Internal Arrangements

Coordination of counterterrorism efforts at the national level in Kenya is carried out by the National Counter Terrorism Strategy, a multidisciplinary organ adopted in 2003.[90] Key stakeholders, including the Ministry of Defense, the Kenya Police Service, the security

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[87] IGAD (2007).Inter Governmental Authority on Development.*The Kampala Statement*, "Meeting of Ministers of Justice of IGAD member states on legal cooperation against terrorism, " Kampala, Uganda, 20–21 September. http: //www. igad. org/ index.php? option=com_content&task=view&id=70&Itemid=65. Accessed 28 October 2019.

[88] Ibrahim, M. (2010).Somalia and global terrorism: A growing connection? *Journal of Contemporary African studies,* Vol 28:3, pp.283-295.

[89] Ibrahim, M. (2010).Somalia and global terrorism: A growing connection? *Journal of Contemporary African studies,* Vol 28:3, pp.283-295.

[90] IGAD (2007).Inter Governmental Authority on Development.*The Kampala Statement*, "Meeting of Ministers of Justice of IGAD member states on legal cooperation against terrorism, " Kampala, Uganda, 20–21 September. http: //www. igad. org/ index.php? option=com_content&task=view&id=70&Itemid=65. Accessed 28 October 2019.

agencies, and Immigration and Customs, are represented at the Kenyan National Counter-Terrorism Centre (NCTC) by staff seconded to it. Specialized units within the police carry out investigations relating to terrorism and other transnational crimes and provide evidence to the Director of Public Prosecutions. These different roles are reflected in a government circular on government functions. The Kenyan National Counter-Terrorism Centre also coordinates external reporting, for example, the annual report to the UN Security Council under Resolutions 1267 and 1373. In 2009 the Kenyan National Assembly adopted the Proceeds of Crime and Anti–Money Laundering Act (POCAMLA) and the Prevention of Organized Crime Act[91]. The latter allows the minister in charge of security to proscribe criminal groups, subject to judicial review. Also, the law criminalizes various forms of support for and participation in these groups. So far, some 33 groups have been proscribed, these includes the al-Shabaab, Mungiki, Baghdad Boys, Mombasa Republican Council among Others. These laws give the Kenyan National Assembly an important opportunity to support executive action against terrorism and provide checks and balances.[92]

In 2011 the assembly enacted the Mutual Legal Assistance Act.[93] In developing parliamentary support for the passage of this act, civil servants pointed to Kenya's signature of the IGAD mutual legal assistance Convention as an indication of the significance of passage of the bill for Kenya's participation in the IGAD sub region's emerging legal cooperation framework, particularly in the fight against terrorism. Clarification is still required, however, on the relationship between the attorney general as the traditional central authority in the administration of mutual legal assistance and the created independent office of the Director of Public Prosecutions, who may or may not serve as a competent authority

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[91] Ploach.L. (2010).Countering Terrorism in East Africa.The U.S.Response.*U.S .Congressional Research Service.*7-5700, R41473.51-55.
[92] Ibidi
[93] IGAD (2007).Inter Governmental Authority on Development.*The Kampala Statement*, "Meeting of Ministers of Justice of IGAD member states on legal cooperation against terrorism, " Kampala, Uganda, 20–21 September. http: //www. igad. org/ index.php? option=com_content&task=view&id=70&Itemid=65. Accessed 28 October 2019.

independent of the attorney general. It is also unclear whether the Financial Reporting Centre, established by the Proceeds of Crime and Anti–Money Laundering Act will have power to share only administrative information with foreign financial intelligence units whether it will also serve as a competent authority for the purposes of requesting mutual legal assistance from foreign states.

3.2.2 International Cooperation

Kenya has relied notably on informal forms of cooperation such as police-to-police cooperation, especially under the auspices of Interpol.[94] Within this framework, Kenya has participated in a number of joint police investigations together with Tanzania and Uganda, most notably a series focused on the trade in stolen cars. Kenya is also an active member of the East African Community, which is currently stepping up its cooperation arrangements in the security sector. A Peace and Security Protocol currently under formulation would address issues on capacity building, counterterrorism, information sharing, and border management between the member states. Kenya has entered into a number of bilateral, regional, and multilateral agreements as platforms for sharing information and evidence related to criminal investigations and prosecutions. Kenya is party to a number of instruments that provide for extradition of indicted fugitives, including the Commonwealth of Nations' London Scheme for Extradition within the Commonwealth and the Scheme Relating to Mutual Assistance in Criminal Matters within the Commonwealth (the Harare Scheme)[95]. Kenya has ratified 14 universal instruments against terrorism the UN conventions and the African Union (AU) convention on terrorism (Algiers Convention). Kenya also has in place a cooperative network

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[94] Aronson, S.L. (2013). Kenya and the Global War on Terror: Neglecting History and Geopolitics in Approaches to Counterterrorism. African Journal of Criminology and Justice Studies: AJCJS, Vol.7, #s1&2November 2013ISSN 15543897.

[95] Ploach.L. (2010).Countering Terrorism in East Africa.The U.S.Response.*U.S .Congressional Research Service.*7-5700, R41473.51-55.

of informal, interstate border committees, especially to address border issues with Tanzania and Uganda.[96]

Prior to the recent terrorist acts in the country, there were certainly counterterrorism units that existed in both the law enforcement and intelligence arenas. The National Security Intelligence Service was established following the embassy bombings in 1998 and Kenya was added to the U.S. Anti-Terrorism Assistance Program.[97] However, the problem still remains that the infrastructure has yet been seen to affect authorities' ability to identify terrorists, foil terrorist plots, and bring criminals to justice.[98] The flawed terrorism laws in Kenya have caused grave problems and even with improved legislation over the past years, success has been minimal. The Kenyan government defines terrorism as anti-state violent activities undertaken by non-state entities which are motivated by religious goals. This definition neglects terrorism based on political, ideological, and criminal rationales and thus, places an unfair target on the minority religion in Kenya. Second, actual legislation has been very difficult to pass and put into practice, therefore, the government has been operating without official and encompassing anti-terrorism laws and standards.

The 2003 Suppression of Terrorism Bill, did not make it into law after a public outcry over unconstitutionality, international human rights violations, and over discrimination against Muslims. Two years later, the Anti-Terrorism Bill of 2006 was again brought before Parliament. This bill contained many of the same issues as its predecessor and was, therefore, not passed into law. Certain crimes committed by terrorists can be prosecuted in Kenyan courts, however, there has yet to exist a comprehensive antiterrorism law in so far as one exists in other Western democracies. The lack of this comprehensive legislation puts Kenyan law enforcement officials in positions where they perform questionable means and violate the

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[96] Prestholdt, J. (2011). Kenya, the United States, and counterterrorism. *Africa Today,*57(4), 3-27.
[97] Mogire, E., Agade, K.M. (2011).Counterterrorism in Kenya. Journal of contemporary African studies 29(4).473-491.
[98] Prestholdt, J. (2011). Kenya, the United States, and counterterrorism. *Africa Today,*57(4), 3-27.

human rights of many in the Muslim community. Intelligence officials have been accused numerous times of unlawfully detaining suspected terrorists for lengthy periods of time and torturing suspects in attempts to gain confessions and further intelligence.[99] As the proper prosecutorial infrastructure are hardly in place, Kenyan authorities frequently handoff terrorism suspects to neighbouring countries or the United States. In one instance, after the 2010 bombing in Kampala, Uganda, the Government of Kenya transferred 13 Kenyan citizens suspected of taking part in the attacks to Uganda. The Minister of Justice declared that the rendition was illegal although there was no possibility of reversing the action that had already occurred.[100]

3.3 Counter-Terrorism Measures Against Al-Shabaab

Anti-Terror Police Unit deployment to the northern region part of Kenya due to its proximity to Somali. These are supplemented by increased deployment of security officers in other areas prone to attacks by the militias. Porous Somali-Kenya has prompted the construction of a perimeter security wall that will separate the two countries and lock out the jihadists out of Kenya.[101] Defense budgetary allocations have been increased to help equip the security agencies in the intensified war against terrorism. Kenya's public has been urged to emulate the collective security policy locally referred to as 'Nyumba Kumi initiative' that enables them to know their neighbour and report any suspicious neighbours and or activities.[102] Border patrols have been intensified not only along Kenya-Somalia border but also on all exit points reducing the number of illegal's getting into the country. Kenya Security agencies have incorporated utmost coordination among them in a bid to pre-empt and counter attacks beforehand.

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[99] Prestholdt, J. (2011). Kenya, the United States, and counterterrorism. *Africa Today,*57(4), 3-27.
[100] Mogire, E., Agade, K.M. (2011).Counterterrorism in Kenya. *Journal of contemporary African studies* 29(4).473-491.
[101] Prestholdt, J. (2011). Kenya, the United States, and counterterrorism. *Africa Today,*57(4), 3-27.
[102] Mugwe, D. (2011,). Ministries Face Budgets cuts to Finance War in Somalia. Business Daily.

CHAPTER FOUR

CONTEXT SPECIFIC RESPONSE MECHANISM TO COUNTER AL-SHABAAB MILITIA ATTACKS IN KENYA

4.1 Introduction

In the history of terror acts in the HOA, Kenya has been the chief primary target with the recent major attack being the January 2019 Dusit Attack.[103] This chapter starts by capturing an overview of terrorism in Kenya. It carefully and briefly looks at trends, causes and drivers. Thereafter, in line with the third objective of this study, this chapter examines the response mechanisms that have been employed to counter Al-Shabaab militia attacks in Kenya. This is by examining state-centric and non-state-centric mechanism.

4.2 Terrorism in Kenya

Kenya has been a primary target and has faced a continuing terrorist threat from Al-Shabaab, the chief terror threat in the HOA for several reasons. This is because, of several geographic, historical, regional, political, economic and socio-cultural factors which include Islamic radicalization in the region; Kenya's vibrant coastal beach tourism industry that threatens domestic Islamic culture; poor socio-economic condition in the country (45 percent live below poverty line[104]); historical marginalization of the country's Muslim minority; Kenya's geographical proximity to Somalia where Al-Shabaab is headquartered and the Middle East; unstable neighbours (Sudan and Somalia); porous borders between Kenya and Somalia; as well as Kenya's strong historical ties with the West and Israel.[105] In line with the latter, most terror acts in Kenya have been against Western targets in the country.

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[103] CNN News. Kenya attack: At least 21 killed as Kenya hotel siege is declared over (2019). Retrieved on 17 December 2019. Accessed from; https://edition.cnn.com/2019/01/16/africa/kenya-hotel-complex-terror-attack/index.html.

[104] World Bank 2010.

[105] Cannon, B.J., (2016). Terrorists, Geopolitics and Kenya"s Proposed Border Wall with Somalia. Journal of Terrorism Research. 7(2), pp.23–37. DOI: http://doi.org/10.15664/jtr.1235

In response to many terror attacks, the KDF have had success in its counter military operations in 2011 invasion in Somalia. However, those successes are short-lived as there are continued terror attacks after periodic short cessation of hostile attacks. This is attributed to the ever-growing risks of home-grown terror, violent extremism and radicalization. Few terror attacks against Kenya and before the 2002 Paradise hotel bombing have been mentioned in the previous chapter. Thereafter, and since late 2011, Kenya has passed through many terror attacks.[106]

It started with the Monday, 24 October 2011small-scale terror attack on a blue-collar bar known as Mwaura's in Mfangano Street in Nairobi.[107] The hurled grenade left one person dead while wounding more than 20. The Kenyan police reported that the weapon used was a Russian-made F1 grenade.[108] Later on the same day, a second blast happened, when a grenade was thrown into a bus terminal from a moving vehicle.[109] About 69 people were subsequently hospitalized, of which five people were confirmed dead.[110] This came after the US issued a potential threat of attack which stated that there are risks of reprisal actions by the Al-Shabaab due to the KDF operations in Somalia in the previous months and especially the October operations.[111] In November of the same year, there was an attack on Holiday Inn Hotel killing three people and injuring at least 27 others, the East African Pentecostal Church

[106] Daily Nation., *How KDF's Somalia incursion changed Kenya*. (2016). Retrieved 9 September 2019, from http://www.nation.co.ke/newsplex/newsplex-Linda-Nchi-Terrorism/2718262-2917062-9fm054/index.html

[107] Jason Strazius,Tom Odula, Associated Press, "2 blasts in Nairobi amid fears of terrorist reprisal," Hearst Communications Inc, 25 October 2011.

[108] Associated Press, "Two grenade blasts rattle Nairobi; 1 dead", 24 October 2011. Retrieved on 24 June 2016, from http://www.usatoday.com/news/world/story/2011-10-24/kenya-grenade-attack/50898570/1

[109] David, Clarke, "A grenade attack at a bus station in central Nairobi killed five people and wounded 69, the Kenya Red Cross said on Sunday," Reuters, 11 March 2012. Retrieved on 24 November 2019, from http://www.reuters.com/article/2012/03/11/uskenya-blast-idUSBRE82A03W20120311.

[110] David, Clarke, "A grenade attack at a bus station in central Nairobi killed five people and wounded 69, the Kenya Red Cross said on Sunday," Reuters, 11 March 2012. Retrieved on 24 November 2019, from http://www.reuters.com/article/2012/03/11/uskenya-blast-idUSBRE82A03W20120311.

[111] CBC News, "Deadly grenade blasts rattle Nairobi", 24 October 2011. Retrieved on 24 November 2019, from http://www.cbc.ca/news/world/story/2011/10/24/kenya-blast.html

which left four people injured, a military convoy and several other attacks. There were around nine other attacks in Kenya, in December.[112]

On 21 September 2013 was the Westgate Shopping Mall terror attack in which unidentified gunmen attacked the upscale mall in Nairobi. The attack resulted in around 67 deaths, and dozens of people were reportedly wounded in the mass shooting. [113] Another major attack was in 2014, known as Mpeketoni attacks. They happened between 15 and 17 June, and more than 60 people were killed in attacks in and close to Mpeketoni, Lamu County. The attacks stated when about 50 masked gunmen hijacked a van and raided a police station in the predominantly Christian town, as well as burning hotels, restaurants, and government offices. Around 53 people were reportedly killed during the attack, and eight others were unaccounted for as of 18 June. [114]

In April 2015, gunmen stormed the Garissa University College, and killed almost 150 people while wounding several others. This was notwithstanding intelligence warnings that an attack was looming.[115] The attackers claimed to be from the Al-Shabaab militant group, and indicated that they were carrying out retaliation over non-Muslims occupying Muslim territory.[116] Several students were taken hostage, Muslims were freed but Christians were withheld. Between 2012 and 2015, there were other lesser attacks, which include the 30 September 2012 attack at the Sunday school of St Polycarp's church in Nairobi;[117] 14 December 2013 Nairobi bus attack; 1 April 2014 Eastleigh attack; 23 April 2014 Nairobi

[112] Macharia, James., "Bombings threaten Kenya growth goals, open new strains with wary West," Reuters, 1 June 2014. Retrieved on 24 November 2019 from http://uk.reuters.com/article/2014/06/01/uk-kenya-security-tourismidUKKBN0EC1D720140601

[113] Associated Press; Daniel, Douglass K., "39 people killed in Kenya mall attack claimed by Somali militants; hostages still held", The Washington Post, 21 September 2013, p. 2

[114] Daily Nation, "Mpeketoni attack: Death toll rises to 48", AFP, 16 June 2014. Retrieved on 24 November 2019, from http://www.nation.co.ke/news/mpeketoni-Lamu-gunfire-al-shabaab-terrorism/-/1056/2349860/-/yf5qvgz/-/index.html.

[115] TSG IntelBrief., "Terrorism in the Horn of Africa", July 28, 2015.

[116] FoxNews, "Nearly 150 dead in Al-Shabaab school attack, Kenyan officials say". Retrieved on 24 November 2019, from http://www.foxnews.com/world/2015/04/02/garissa-attack-kenya.

[117] BBC News., "Kenya children hurt in church grenade attack", 30 September 2012 Retrieved on 24 November 2019, from http://www.bbc.com/news/world-africa-19776747.

police station bombing;[118] 4 May 2014 Nairobi bus bombings on the Thika Highway in Nairobi;[119] 16 May 2014 Gikomba bombings;[120] 26 May 2015 Garissa ambush and dozens of more. On 15 January 2019 the Alshabaab carried a terrorist attack on Israel affiliate hotel in Kenya which left 67 people dead with hundreds injured.[121]

In most of these attacks, Al-Shabaab claimed responsibility, carried most of the attacks themselves or through radicalized Kenyan youths that could be considered as Al-Shabaab sympathizers. In line with the latter, in 2014, estimates suggested that about 25% of the total contributing forces of Al-Shabaab are Kenyans[122] which are preferably called Kenyan Mujahideen.[123] Most of these radicalized Kenyans are typically over enthusiastic poor and young individuals that were specifically targeted by the cells of Al-Shabaab for recruitment. It's been harder for Kenyan security forces to track the terror or those radicalized Kenyans due to the facial and cultural dissimilarities between the Kenyan Mujahideens and the rest 75% fighter forces of Al-Shabaab; Thus an advantage for the Kenyan Mujahideens to fully blend into the larger population of Kenya with little or limited trace and detection. The Coastal areas of the HOA –like the coast in Zanzibar and Mombasa are largely populated by Muslims –are susceptible to radicalization, terror recruitment and terror safe havens.[124]

Al-Shabaab further termed these attacks, reprisals for the Kenyan military's deployment in the group's home country of Somalia through Operation Linda Nchi. The Operation was a

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[118] BBC News., "Kenya car bomb kills four in Nairobi's Pangani quarter", 23 April 2014 Retrieved on 24 November 2019, from http://www.bbc.com/news/world-africa-27134695.

[119] BBC News, "Kenya buses hit by deadly twin blasts in Nairobi", 4 May 2014 Retrieved on 24 November 2019, from http://www.bbc.com/news/world-africa-27277811.

[120] BBC News, "Kenya's Nairobi hit by twin blasts in Gikomba Market", 16 May 2014. Retrieved on 24 November 2019, from http://www.bbc.com/news/world-africa-27443474.

[121] N. Briden. East Africa's Terrorist Triple Helix: The Dusit Hotel Attack and the Historical Evolution of the Jihadi Threat (2019). Retrieved from; https://ctc.usma.edu/east-africas-terrorist-triple-helix-dusit-hotel-attack-historical-evolution-jihadi-threat.

[122] BBC News, "Funding jihad: Al-Shabab cash lures in young Kenyans", 11 December 2014. Retrieved on 24 November 2019, from http://www.bbc.com/news/world-africa-30419987?print=true.

[123] Reuters, "Special Report: In Africa, a militant group's growing appeal", 30 May 2012. Retrieved on 24 November 2019, from http://www.reuters.com/article/us-shabaab-east-africa-idUSBRE84T0NI20120530.

[124] Reuters, "Special Report: In Africa, a militant group's growing appeal", 30 May 2012. Retrieved on 24 November 2019, from http://www.reuters.com/article/us-shabaab-east-africa-idUSBRE84T0NI20120530.

coordinated military mission between the Somali and Kenyan militaries that began in October 2011, when troops from Kenya crossed the border into the conflict zones of southern Somalia. The Operation triggered many of these incessant attacks. By May 2014, the US, UK, and other Western countries issued a high security warning on their citizens residing or travelling to Kenya,[125] and this ultimately affected the tourism sector in Kenya. The tourism sector is the largest earner of foreign exchange to the country and the exit of foreign visitors leads to reduced hotel and transport operations which in-turn results to labour or staff cut down.[126] This trends affect not only the tourism sector but also extends to the foreign missions in Kenya as some have been forced to reduce their presence in Kenya to only one city usually Nairobi as observed by the move by UK to close down the Mombasa Consulate;[127] also the U.S has reduced its staff strength in the bid to ensure adequate protection of all its staff after the death of many of its staff in the 1998 bombing.[128]

4.3 Examination of Kenya's Response Mechanism to Counter Al-Shabaab Militia Attacks

Since 2003 that the Kenyan government created the Anti-Terror Police Unit, the government has been focusing increased attention on preventing the migration of foreign fighters, including Kenyan nationals, to join Al-Shabaab in neighbouring Somalia, as well as on Kenyan national foreign fighters returning from abroad. In regional and international CT mechanisms and programs, Kenya has been a strategic member of and has participated in

[125] NPR Parallel (2016). *Npr.org*. Retrieved 9 September 2019, from http://www.npr.org/sections/parallels/2014/06/10/320335669/western-countries-issue-warnings-kenyan-tourism-gets-pummeled.
[126] Macharia, James., "Bombings threaten Kenya growth goals, open new strains with wary West," Reuters, 1 June 2014. Retrieved on 24 November 2019, from http://uk.reuters.com/article/2014/06/01/uk-kenya-security-tourismidUKKBN0EC1D720140601.
[127] Capital News., "UK closes Mombasa Consulate over security fears", 13 June 2014. Retrieved on 24 November 2019, from http://www.capitalfm.co.ke/news/2014/06/uk-closes-mombasa-consulate-over-security-fears.
[128] The Guardian., "US to cut Kenya embassy staff as threat of 'sophisticated' attacks grows", AFP, 17 May 2014. Retrieved on 13 DEcember 2019, from https://www.theguardian.com/world/2014/may/17/kenya-nairobi-bomb-us-embassy-security.

IGAD's ICPAT, US CJTF-HOA; and several AU and UN's CT conventions, action plans and protocols.

4.3.1 National Counter Terrorism Center (NCTC)

After the several attacks by Al-Shabaab militants against and inside Kenya, the Kenyan government realized that terrorism is a cross-border crime and a national security threat. This necessitated the formation of a multi-agency mechanism, effective coordination of key actors and a coordinating mechanism as national CT focal point.[129] A CT strategy paper was conceived in April 2003 and presented to the Kenyan Cabinet which approved it in September 2003. As a result, NCTC was established and inaugurated on the 27th of January 2004. The NCTC defines itself as a policy institution established to serve primarily as the coordinating agency for all CT efforts for the GoK. It advises the National Security Advisory Committee (NSAC), public and private institutions on threat posed by terrorism to the country and provide advice to both public and private institutions.[130] It has the mandate of: coordinating national CT efforts so as to detect, deter and disrupt terror acts; establish a database to assist law enforcement agencies; conduct public awareness on terrorism prevention; develop counter-radicalization strategies etc. The center established a Prevention Center to counter radicalization and violent extremism forming part of Kenya's comprehensive CT strategy which is anchored on the Prevent pillar and aimed at taking a softer approach to prevent terrorism.[131]

4.3.2 Operation Linda Nchi

Operation *Linda Nchi* is the codename for a coordinated military operation between the Kenyan and Somali militaries in Somalia. The operation lasted for 8 months from 16 October 2011 to 31 May 2012. The soldiers cracked down on Al-Shabaab militants that are alleged to

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[129] National Counter Terrorism Center"s website, at http://counterterrorism.go.ke/aboutus.html.
[130] Ibidi.
[131] National Counter Terrorism Center"s website, at http://counterterrorism.go.ke/aboutus.html.

have kidnapped several foreign tourists and aid workers in Kenya.[132] Through the operation, Al-Shabaab was weakened and Kenyan forces were later integrated into AMISOM. Many Al-Shabaab' leaders were captured in the operation. More than 6,000 Kenyan security personnel, including police were involved in the operation, and despite few casualties on the Kenyan side, more than 700 Al-Shabaab militants were killed and 61 captured.[133] The operation was in partnership with IGAD, the AU, and the Ethiopian military.[134] During the operation, the US Air Force also shared surveillance data with the Kenyan military and also assisted in the operation.[135]

4.3.3 AMISOM Participation

Originated as IGASOM, the African Union Mission in Somalia is an active (since 2007), regional peacekeeping mission operated by the AU with the approval of the UN in Somalia. As part of its mandate, AMISOM supports Somalia's forces in their battle against Al-Shabaab militants. As at 2015, the troop strength was at 22,126 troops,[136] with Kenyan contributing around 4,000. The troops were able to carry out several offensives against Al-Shabaab, killing many of them including their leaders.

In addition, the KDF and AMISOM were able to evict Al-Shabaab, from their stronghold in the central and southern portions of Somalia, especially the port city of Kismayo and Mogadishu.[137] This helped to grossly reduce the Al-Shabaab's financial resources, as the

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[132] Al Jazeera, "Kenyan troops pursue al-Shabab into Somalia in Operation Linda Nchi", 16 October 2011. Retrieved on 13 December 2019 from http://www.aljazeera.com/news/africa/2011/10/20111016115410991692.html.

[133] BBC News., "Kenyan troops 'kill 60 al-Shabab fighters' in Somalia", 7 January 2012 Retrieved on 13 December 2019, from http://www.bbc.com/news/world-africa-16455039

[134] Maasho, Aaron., "Ethiopia plans military mission to Somalia", Uk.reuters.com, 25 November 2011.

[135] Musau, Nzau, "Kenya: Somali Prime Minister Arrives to Explain Position", Allafrica.com, 31 October 2011.

[136] See: United Nations Security Council Resolution 2182 (2014) Adopted by the Security Council at its 7286th meeting, on 24 October 2014; Paragraph 23 - at http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2182(2014).

[137] Godfrey Buluma, "Al-Shabaab: The Threat To Kenya And The Horn Of Africa," United States Army War College, 2014.

group lost import and export revenue due to the capture of the Ports which was the main source of income.[138]

4.3.4 Legislation, Law Enforcement and Border Security:

In 2003, Kenya established an inter-ministerial task force which focused on Anti-Money laundering and Combating the Financing of Terrorism. The task force was able to review existing legislation and recommend ways of formulating a national policy to shut down channels of financing of terrorism.[139] In the same year, the GoK invoked the Non-Governmental Organization (NGO) Co-ordination Act of 1990 to deregister an array of Muslim NGOs which were accused of having linkages with terrorist groups. These included the al-Muntada al-Islami, al-Haramain Islamic Foundation, the World Assembly of Muslim Youth, Wakalatul-Rahmah offices, the aI-Ibrahim Foundation and the aI-Najah Islamic Centre in northern Kenya.[140] The Kenyan High Court threw out petitions to reverse the decision while the GoK deported al-Haramain's Sudanese director, Sheikh Muawiya Hussein in January 2004.[141]

Down to 2012, Kenya passed the 2012 Prevention of Terrorism Act to aid the Proceeds of Crime and Anti-Money Laundering Act of 2011, and the Prevention of Organized Crime Act of 2012.[142] The President of Kenya, signed into law, in December 2014, the 2014 Security Laws (Amendment) Act. The Security Laws of 2014 reformed 20 existing in a bid to enhancing the CT policy framework. Positive steps included the creation of a coordinated border control agency, criminalization aiding or support for terrorist training, strengthening

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[138] Godfrey Buluma, "Al-Shabaab: The Threat To Kenya And The Horn Of Africa," United States Army War College, 2014.

[139] Peter Kagwanja, "Counter-terrorism in the Horn of Africa: New security frontiers, old strategies", Institute for Security Studies, African Security Review 15.3, 2006.

[140] P Mayoyo, "Kenya Muslims say no to US school funds," East African, 23 February 2004.

[141] Peter Kagwanja, "Counter-terrorism in the Horn of Africa: New security frontiers, old strategies", Institute for Security Studies, African Security Review 15.3, 2006

[142] The US Department of State, Country Reports on Terrorism 2014, Chapter 2. Country Reports: Africa Overview, Bureau of Counterterrorism. Retrieved on 21 June 2016 from http://www.state.gov/j/ct/rls/crt/2014/239404.htm.

the capacity of the NCTC.[143] Conversely, other provisions included infringement on human rights like freedom of speech and the rights of refugees. This has sparked controversy and garnered criticism that they violated Kenya's international obligations and constitutionally-guaranteed civil liberties.

In line with the security sector overhaul, in 2013, the GoK divided CT roles between the 3 arms of the National Police Service: the Kenya Police consisting of the civil police, the Anti-Terrorism Police Unit and the paramilitary General Services Unit; the Directorate of Criminal Investigation and the Administration Police; and the non-police agencies like the National Intelligence Service and the KDF. The functioning efficacy of this effort was jeopardized due to lack of intra and inter police-institution coordination as well as the coordination in the military-institutions.

Other factors include lack of adequate training, resources; delineation of command, politicization and corruption of the CT institutions. While the government have made productive efforts in addressing those challenges, those effort have proved to be insufficient in areas of corruption, border control and security. The lack of border security capacities and the insufficiency of national identification system have decreased the success rate of law enforcers' ability to detect and detain potential terrorists. Nevertheless, biographic and biometric screening, terrorist screening watch lists, and other mechanisms are in place at the main entry ports in the country.

There are numerous and uncountable terror attacks that have been responded to or thwarted in 2014 by the Kenya security operatives. The multi-scaled operations Usalama Watch conducted between April and May 2014arrested thousands of potential suspects, primarily in

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[143] The US Department of State, Country Reports on Terrorism 2014, Chapter 2. Country Reports: Africa Overview, Bureau of Counterterrorism. Retrieved on 21 June 2016 from http://www.state.gov/j/ct/rls/crt/2014/239404.htm.

the two main cities of Kenya. But the operation was criticized due to its constituted element of abuse, corruption and human rights violations.

4.3.5 Countering the Financing of Terrorism

Kenya is a member of the Eastern and Southern Africa Anti-Money Laundering Group, a Financial Action Task Force-style regional body. Kenya has made progress in implementing its anti-money laundering/countering the financing of terrorism regime, and was, in 2014, delisted from the continued monitoring scheme of the Financial Action Task Force (FATF). In December, the Kenyan NGO Coordination Board publicized the registration revocation of 510 NGOs for failing to provide requisite financial reporting; the board also highlighted the possible inclusion of 15 more NGOs on the suspicion of financing terror. However, many of those NGO have been delisted after compiling with the requirements of the Board.[144]

Kenya's Anti-Money Laundering operations have progressively become functional with increased monitoring, evaluation and reporting capacities. Conversely, processes have not been tremendously successful due to deficiencies in essential resources that include but not limited to electronic-Financial reporting system. The Central Bank of Kenya has created awareness on the need for citizens to use the legal financial sectors in their transactions and savings in order to ensure an effective and transparent regulatory financial institution in Kenya.

4.3.6 Regional and International Cooperation

In 2003, Kenya ratified all the twelve international CT conventions and protocols and published the Suppression of Terrorism Bill on 30 April. Kenya as a member-state in AU, IGAD, COMESA and EAC, have contributed, to the respective regional blocs it belongs to, with its substantial troop presence through bilateral and multilateral arrangements in conflict

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[144] The US Department of State, Country Reports on Terrorism 2014, Chapter 2. Country Reports: Africa Overview, Bureau of Counterterrorism. Retrieved on 21 June 2016 from http://www.state.gov/j/ct/rls/crt/2014/239404.htm.

affected nations of those blocs. In 2014, in Nairobi, the head of-States meeting of the Peace and Security Council of the AU; and the regional summits of the EAC intelligence and police chiefs substantially focused on issues of CT. Also the country has helped other member States in hosting and facilitating military exercise, trainings and drills within and among the EAC's States law enforcement professionals.[145]

4.3.7 Countering Radicalization and Violent Extremism

In an effort to countering terror, Kenya has made an initiated step in 2014 to partner with non-governmental organizations like the civil society organizations (CSOs). This was significantly and officially championed in the 2014 National Conference on Security and common vulnerability and exposures (CVE) where State and non-State actors were actively engaged in a participatory approach to formulate and adopt a Violent Extremism Advocacy and Accountability Charter.[146] Additionally, was the development of a comprehensive National Counter-Radicalization Strategy which tasks religious leaders on their significant role in reducing the communities' risks to violence extremism and terrorism since they can influence peace and tension with their charismatic rhetoric and moral authority especially after terror attacks.

4.3.8 Partnership with the United States of America

Since the aftermath of September 11, 2001, Kenya has been among the significant partner of the U.S and its allies in Africa on the Global War on Terror. This effort includes but not limited to training, sales of equipment, logistical support and exchange of strategic

[145]GoK, Kenya Foreign Policy, November 2014, Retrieved 13 December 2019, from http://www.mfa.go.ke/wpcontent/uploads/2016/01/Kenya%20Foreign%20Policy.pdf.
[146]GoK, Kenya Foreign Policy, November 2014, Retrieved 13 December 2019, from http://www.mfa.go.ke/wpcontent/uploads/2016/01/Kenya%20Foreign%20Policy.pdf.

information. Deeper cooperation between the two nations is seen in the presence of Kenya as one of the 6 nations engaged in the U.S lead Security Governance Initiative (SGI).[147]

Kenyan security officers participated in many U.S led or sponsored programs featuring areas of crisis response, investigations, and prosecutions. The Antiterrorism Assistance program conducted by the U.S department of states for the East Africa Joint Operations exercise lasted for about four weeks featuring areas of crisis response training series and other areas.[148]

The partnership efforts of Kenya with developed states have enhanced the security systems at the entry ports of Kenya. This is evident by the presence of Personal Identification Secure Comparison and Evaluation System in the ports in Kenya. The law enforcers have continued to gain experience through regional and international cooperation on territorial security and increase the state's CT capabilities.[149]

4.3.9 Diplomatic solutions

As having unstable neighbours has been one of the factors facilitating terror acts in Kenya, Nairobi has used the search for peace in Somalia and Sudan as the main diplomatic thrust of its CT effort. Kenya has made effort to ensure diplomatic talks as a strategy to deal with conflicts for a long time as seen in the case of Sudan and Somalia. The Somali-talks, initiated in Eldoret and ended in Nairobi' led to the recognition and institution of the TFG which enabled measurable peace to return in the country.[150] The Sudan's peace talks led to the Comprehensive Peace Agreement of Sudan, and South Sudan's independence. Although South Sudan later went into its own war, Kenya still played a great role through IGAD to

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[147] United States Department of State., *Security Governance Initiative: 2015 Review*. (2016). Retrieved 13 December 2019, from http://www.state.gov/p/af/rls/2016/253906.htm.

[148] United States Department of States., *Bolstering East African Nations' Capacity To Counter Terrorism*. *.DipNote*. Retrieved 13 December 2019, from http://blogs.state.gov/stories/2016/08/17/bolstering-east-african-nations-capacity-counterterrorism.

[149] United States Department of State., Country Report on Terrorism 2015. Retrieved 13 December 2019, from http://www.longwarjournal.org/wp-content/uploads/2016/06/2016-State-Department-Country-Report-on-Terrorism.pdf.

[150] AMISOM., *Somali Peace ProcessLe processus de paix somalienGeedi socodka Nabadda Soomaaliya - AMISOM*. (2016). Retrieved 9 September 2016, from http://amisom-au.org/about-somalia/somali-peace-process.

resolve it. Kenya's strategy has been to stabilize Sudan, South Sudan and Somalia politically in order to transform them into good neighbours whose security will greatly enhance that of Kenya.[151]

4.2.10 CT Strategies driven by NSAs

Some Kenyan Civil Society Organizations (CSO) are actively working to counter terror and violent extremism in Kenya; this is aided largely by U.S-Kenya partnership and Kenya's partnership with other international entities.[152] Some of them are Muslim for Human Rights, Supreme Council of Kenya Muslims, and Kenya Community Support Centre (KECOSCE) etc. One key thing about their strategies is that through several programs, they are addressing some of the root causes of terrorism which are often tied with poor socio-economic conditions of Kenyans, radicalization and violent extremism.[153] Most of them also have programs that counter the propaganda messages of extremists and terrorists. They have remained key actors in engaging the community to recognize, understand, and act towards the prevention and mitigation of terror.

Additionally, the organizations have helped in increasing the awareness and level of vigilance on terror or potential terror threat at both the local and community levels. In addition, they organize forums related to countering terror in partnerships with government and donor partners. Some of these forums are for the public, law enforcers and other CSO leaders, to better educate them about CVE.[154] The CSOs also work with policing and justice institutions, and help to train many specifically on reporting of suspicious activities.[155]

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[151] Sudan Tribune., *Plural news and views on Sudan*. (2016). Retrieved 13 December 2019, from http://www.sudantribune.com/spip.php?mot3042.
[152] Lauren, Ploch., Countering Terrorism in East Africa: The U. S. Response (DIANE Publishing, 2011).
[153] Public Radio International., *Muslim leaders are trying to change the way Kenya fights terrorism*. (2016). Retrieved 13 December 2019, from http://www.pri.org/stories/2015-08-23/muslim-leaders-are-trying-change-way-kenya-fights-terrorism.
[154] Ahmed Hadji & Ndugwa Hassan, "Working Paper Series", Uganda Muslim Youth Development Forum, 1/2014.
[155] Ibidi.

KECOSCE for example has programs that aim at enabling the Coast communities to counter the increasing radicalization within the coastal areas of Kenya[156]; this is aided by enhancing the youth's terror-resilience ability. They also facilitate the organization of community groups and creation of continuous space for dialogue among the all members of the community from the law, justice or security enforcers to the rest members of the community.[157] Further awareness on the effectiveness and importance to engage all members of the community on the ills of radicalization have been at the core focus of KECOSCE. Enhancing skills to counter the violent ideology at family, schools and public spaces and promotion of partnership with security agencies, change conceptions and increase cooperation to stop terrorists from using coast as a fertile ground for their operations have been as important as ever. Finally, KECOSCE trains the youths on business skills and empower them; and created an early warning and response mechanism to cushion sources of information, and monitor the activities of suspect groups and individuals.

4.4 Conclusion

The findings of this chapter seem to suggests that Kenya's CT mechanisms and preparedness between 2002 and 2016 were grossly insufficient and ineffective since despite them, many small and large scale attacks occurred between 2011 and 2015 in the country. Even the formation of NCTC to formulate and implement CT mechanisms in 2004, did not do much to mitigate the 4-year incessant attacks. We also observed that corruption, organization inefficiency, lack of resources and technical capacity, poor interagency law enforcement coordination among, insufficient training, politicization of some terrorist incidents, and several other factors have affected Kenya's capacity to sufficiently fight terrorism especially in line with its law enforcement.

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[156] A Non-Governmental Organization based in the Coast Region of Kenya.
[157] Ahmed Hadji & Ndugwa Hassan, "Working Paper Series", Uganda Muslim Youth Development Forum, 1/2014.

Furthermore, Kenya has been focusing more on state-centric and militaristic strategies in the fight against terrorism. In addition, the Kenya Defense Forces have been on the fore front in the fight against Al-Shabaab and have achieved some successes. However, as long as the factors that cause and facilitate terrorism in Kenya exist, the country will probably continue to deal with terrorist attacks.

The findings of this chapter indicated that the objective four of this study i.e. examination of the context specific response mechanism to counter Al-Shabaab Militia attacks in Kenya, reveals that the sole militaristic approach of CT have to a greater extent proved inadequate in fighting terrorism and has precipitated increased terror attacks. This mechanism has not succeeded due to failure to understand causes of terrorism and lack of CT mechanism that includes non-state actors.

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.1 Introduction

This study set out to interrogate why militia groups such as Al-Shabaab attacks persist in the horn of Africa with specific reference to Kenya, examining the discourses of terrorism, response strategies to mitigate Al-Shabaab militia attacks, and recommend context specific response mechanism to counter Al-Shabaab militia attacks using Kenya as the case study. This chapter summarizes the findings and concludes the key issues emerging from the study and ends with recommendations and areas for further research.

5.2 Summary

5.2.1 Discourses of Terrorism

Terrorism appears to have an iron grip on the Horn of Africa region. The most affected country in the area is Somalia. Its political unrest since the ousting of President Siad Barre in 1992 has made the country a haven for terrorist groups and terrorist leaders fleeing violence from other countries like Afghanistan. On the other hand, countries like Sudan and Eritrea have been secretly sponsoring terrorism in the region[158]. Sudan, for example, has been cited to support terror groups like Janjaweed in Darfur, LRA in Uganda, and OLF and WSLF groups in Eritrea and Ethiopia. These terror groups receive funding and essential security information in the region. Ethiopia, Kenya, and Uganda stand as the greatest victims of terror in the area. The existence of porous borders in the region has made it easier for terror groups to move from one country to another and effectively escape attacks. Despite the concerted effort by the AMISOM and TFG forces in Somalia to eliminate the threat of Al-Shabaab, the

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[158] Mwagiru, Makumi, "Conflict and Peace Management in the Horn of Africa: Theoretical and Practical Perspectives," op cit.

war against terror in the region seems far from over. However, factors like the need to ensure safety with little expense to Muslim disquiet, especially in Kenya, will limit these attempts.

5.2.2 Response Strategies to Mitigate Al-Shabaab militia Attacks

Numerous international and regional bodies are involved in the efforts towards combating terrorism in the HOA. These bodies have continuously worked together in the sharing of expertise and information. The UN has established the UNGC-T Strategy in the region. Its implementation of the UN Counter-terrorism Implementation Task Force has facilitated the creation of preventive measures addressing real and perceived grievances. The organ has also focused on researching the underlying social, economic, and political conditions fostering terrorism in the region. The EU, through diplomatic and policy interventions within the Cotonou Partnership Agreement, has also provided funds to IGAD to facilitate its counter-terrorism efforts. The International Organization for Migration (IOM) has stepped in to help in solving the porous borders dilemma by increasing local capacities on biometric screenings at border checkpoints. The USA, through the Combined Joint Task Force-Horn of Africa (CJTF-HOA), has also engaged in counter-terrorism efforts. The body has participated in civil affairs operations like drilling water wells in Kenya and offering medical services in Ethiopia and Djibouti. The African Union is actively engaged in organizing functions aimed at improving counter-terrorism capacities, facilitating cooperation among AU member states, and providing capacity-building assistance. The establishment of counter-terrorism strategies in Kenya, including the National Counter-terrorism Strategy in 2003, has also facilitated the fight against terror groups like Al-Shabaab.

5.2.3 Context-Specific Response Mechanism to Counter Al-Shabaab Militia Attacks

The recent wave of terror attacks on Kenyan soil has hurt the country's economy. The attack on Mwaura's Bar along Nairobi's Mfangano Street was the beginning of Al-Shabaab's acts of terrorism in Kenya. The attack left one person dead. Numerous other attacks like the

Westgate Shopping Mall attack in 2013, which left 67 people dead and 2015's Garrisa University attack that left about 150 students dead, occurred after the attack in Nairobi. Despite immense efforts by the Kenya Defense Forces (KDF) to fight terror, these attacks have continued after periodic short cessation. These attacks were carried out by Al-Shabaab and radicalized Kenyan youth as a reprisal for Operation Linda Nchi.

Kenya has ensured an informed response mechanism to the Al-Shabaab terror group. The country created the National Counter-Terrorism Centre (NCTC) in 2004 to coordinate different agencies for all Kenyan efforts in counter-terrorism. The state also launched Operation Linda Nchi, which involved Kenyan troops invading Al-Shabaab in Somalia. The operation lasted eight months before the soldiers joined AMISOM. In AMISOM, Kenya contributes 4000 of the 22,126 soldiers. The group has weakened Al-Shabaab financially by removing them from the Kismayo and Mogadishu ports, which were significant revenue generators for the group. Other government counter-terrorism efforts include; countering money laundering through legislations, and deregistering Muslim NGOs found to fund Al-Shabaab. However, these CT mechanisms have not been effective in stopping terror attacks in the country.

5.3 Conclusion

5.3.1 Discourses of Terrorism

The Horn of Africa has been plagued by terrorism due to historical, political, and social problems. The Historical issues include the Cold-War, which saw the USA support Siad Barre in his dictatorial rule over Somalia. The era led to the increased flow of arms in the country and facilitated armed conflict after the ousting of Siad Barre in 1992. The political challenges mainly involve funding of terror by some countries like Eritrea and Sudan, which has led to increased instability in the region. Political differences between Sudan and South Sudan have also fostered aggression and involvement of terror groups, especially in the

Darfur region. The other political challenge is the weakened Somali government that has been unable to protect its boundaries against infiltration by jihadist fighters from the Middle East. The social problems include poverty in Somalia. The ineffective government and increased poverty levels have forced people to resort to pirating and joining of terror groups, which are often funded by other countries. These factors have made it hard for missions like AMISOM to eradicate terrorism in the HOA region effectively.

5.3.2 Response Strategies to Mitigate Al-Shabaab Militia Attacks

Numerous regional and international organizations have participated in the fight against Al-Shabaab in Somalia. Some of the bodies that are actively involved include the UN, the European Union, IGAD, USA, and African Union (AU). These organizations have taken different approaches to counter-terrorism in the region. While the UN and the AU have been actively involved in the war by contributing troops, the European Union has opted to instead support regional organizations like IGAD financially. The USA has also engaged in civil affairs operations aimed at improving the lives of civilians. However, all these organizations have been actively involved in the sharing of critical information on terrorism and terror groups like Al-Shabaab. Kenya has engaged in the implementation of counter-terrorism strategies. One of the main strategies was police-to-police cooperation through Interpol. This cooperation has helped in information sharing and border management. One recent counter-terrorism measure is the construction of a wall along the Kenya-Somalia border. The combined activities of all the different organizations are effective in containing the growth of terrorism and Al-Shabaab in the region.

5.3.3 Context-Specific Response Mechanism to Counter Al-Shabaab Militia Attacks

Kenya has borne the brunt of terror activities in the Horn of Africa Region. Despite numerous activities to fight the Al-Shabaab, the group has continuously attacked Kenya after periodic short cessations. Part of Kenya's response mechanism to terror has been the creation of the

NCTC to coordinate CT effort for the government, executing Operation Linda Nchi, and establishment of legislations for countering money laundering in the region. However, these efforts have not been effective in eradicating the Al-Shabaab in the area. Stronger measures to counter radicalization of Kenyan youth and violent extremism in the region are needed.

5.4 Recommendation

5.4.1 Discourses of Terrorism

To effectively fight terrorism in the region, changes are necessary. First, the international community needs to implement harsher sanctions against countries like Eritrea and Sudan, finance terror groups. These sanctions will force such states to shun from supporting terror groups. Countries that are the primary victims of terror in the region like Ethiopia, Kenya, and Uganda need to police their borders more. The sanctions could prevent groups like LRA and Al-Shabaab from moving freely in the region. Most importantly, Kenya and Ethiopia, which have a significant Muslim minority, should be sensitive in their Counter-terrorism efforts lest they cause Muslim disquiet in their countries. This disquiet could facilitate the radicalization of youths.

5.4.2 Response Strategies to Mitigate Al-Shabaab Militia Attacks

New response strategies are required to mitigate Al-Shabaab militia attacks. The main one would be increased cooperation of all organizations that have committed themselves to fight the Al-Shabaab. These organizations should create more channels for sharing information on terrorism in the region. The other new response strategy would be the introduction of a functional antiterrorism law in Kenya. This unique response will facilitate systematic eradication of the Al-Shabaab within the means of the law. The proposed wall on the Somalia-Kenya border should be constructed to reduce the entry of Al-Shabaab fighters in the country.

5.4.3 Context-Specific Response Mechanism to Counter Al-Shabaab Militia Attacks

To improve its response mechanism to counter the Al-Shabaab militia, Kenya needs to implement several changes. First, the country needs to increase its border security capacities to prevent the entry of potential terrorists. The state also needs to improve the efficiency of the national identification system, which could help detect terrorists. Kenya needs to step up its activities on countering radicalization by monitoring Islamic education Madrasa in Mosques to prevent extremist teachings. Diplomacy should also be applied where necessary to prevent terror activities.

5.5 Future Areas of Research

5.5.1 Refugees Camps on Kenya

 There is need to evaluate the significance of hosting refuges camp in Kenya, are they potential source of terror, what measures are in place to ensure the refugees are contained within their camps. What measures are in place to contain the risk of terrorist springing from these camps There is also need to evaluate refugee repatriations from Kenya and the considerations of setting up the camps within their home countries as this will help in assessing the potential risk and possible correction measures that Kenya can adopt in its effort to contain the terrorism menace within its borders.

5.5.2 Youth Radicalization

There is need to revaluate the extent of the youth radicalization, what are the driving forces that make the youth venerability, is it only within the Muslim community in Kenya or is it cutting across Kenya as a whole. What are the better means of engaging the target groups to minimize their vulnerability to radicalization, finding of such a research will provide an in-depth details of some of the corrective measures that Kenya would be able to adopt in its containment of Terrorism within the country.

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