



Counterterrorism in Kenya: An Interview with Oscar Mwangi

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Oscar Mwangi, a Lesotho-based expert on conflict and security, discusses the recent attack by Al-Shabaab in Nairobi and the problems with Kenya's counterterrorism efforts.

Q. What is the nature of the terrorist threat facing Kenya?

Kenya has been subjected to several terrorist attacks due to its proximity to Somalia, its role in the Global War on Terror and its military intervention in Somalia on 16 October 2011, initially as *Operation Linda Nchi* (Protect the Country) and a month later as a military component of the peace enforcement African Union Mission in Somalia (*AMISOM*).

The nature of the terrorist threat is largely transnational emanating from the Somalia-based *Al-Shabaab* terrorist group. Using asymmetric warfare in Kenya, *Al-Shabaab* targets mainly business premises, educational and religious institutions, government installations, the military, nongovernmental organisations, police, private citizens and property, telecommunication installations, tourists, and transportation.

The major attacks that have occurred in Kenya since October 2011 are the *Westgate Mall* attack of 2013, the *Mpeketoni* attacks of 2014 and the *Garissa University* attack of 2015, staged by *Al-Shabaab*, in which 72, 60 and 152 people died respectively. Over 300 people were injured in these attacks. On 15 January 2019, *Al-Shabaab* staged an attack on the *DusitD2* Complex in Nairobi, killing 21 people and injuring several others.

Q. How has Kenya responded to this threat?

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Kenya has responded by prioritising and intensifying counterterrorism efforts in the country. These efforts have mainly focused on producing legislation, law enforcement, border security, countering the financing of terrorism, countering violent extremism, and regional and international cooperation. Kenya has strengthened existing counterterrorism-related legislation and enacted new ones, such as the [Prevention of Organised Crime Act of 2010](#), [Proceeds of Crime and Anti-Money Laundering Act of 2011](#) and the [Prevention of Terrorism Act of 2012](#), and the [Security Laws \(Amendment\) Act of 2014](#), which have reinforced the legal framework under which to prosecute terrorist acts. They consolidate the country's legislative framework to prevent and combat terrorism.

In the area of countering the financing of terrorism, Kenya is a member of the [Eastern and Southern Anti-Money Laundering Group](#). With regards to countering violent extremism, Kenya has increased its efforts and coordination with international partners to advance countering violent extremism efforts, particularly in the prevention of radicalisation, and the reintegration of foreign terrorist fighter returnees.

Several counterterrorism measures, provided for under various security and security-related laws of the country, have been implemented. These are primarily state-driven and predominantly employ the use of force. Counterterrorism measures that employ legitimate force or repression are divided among three national security organs in the country; namely, the [Kenya Defence Forces](#), the [National Intelligence Service](#) and the [National Police Service](#).

Q. What international support has Kenya received to help its

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counterterrorism efforts?

Kenya has received bilateral and multilateral assistance in its counterterrorism efforts from several Western countries, and regional and international organisations. Key Western countries include the United States of America (US), United Kingdom (UK) and Denmark. These three countries share similarities in priority areas of support. However, they also have key differences. The UK counterterrorism strategy places importance on civilian programmes that target crucial parts of the population in order to prevent violent radicalisation of individuals. Denmark, emphasises its comparative advantage of soft intervention and does not provide bilateral military assistance or training to Kenya. The US, by contrast, mainly relies on military instruments in combating terrorism and stabilising states, accompanied by a democratisation agenda. The US programmes are driven by homeland security concerns.

As far as regional and international organisations of cooperation are concerned, Kenya is an active member of the [United Nations Office of Counterterrorism \(UNOCT\)](#) and its [Counterterrorism Committee Executive Directorate \(CTED\)](#). Kenya is also an active member of the [African Union \(AU\)](#), including the Peace and Security Committee, and a troop-contributing country of the African Union Mission in Somalia. Kenya (AMISOM) is also actively involved with the [Intergovernmental Authority on Development \(IGAD\)](#) on counterterrorism efforts. Kenya also partners with the European Union (EU) funded [Global Community Engagement and Resilience Fund \(GCERF\)](#), a multi-stakeholder global fund that works with local partners to strengthen community resilience to violent extremism.

Q. Are Kenya's counterterrorism efforts working?

While Kenya's state-driven counterterrorism measures that employ the use of force have, to some extent, now succeeded in reducing the frequency of large-scale attacks like the Westgate Shopping Mall, Mpeketoni, Garissa University and DusitD2 Complex attacks, counterterrorism efforts in Kenya have also been seriously compromised due to the violation of human rights committed by those agencies involved in countering terrorism.

Many of the counterterrorism agencies do not adhere to the rule of law. The most notable of these agencies that has been accused of **violating human rights** in the course of its operations is the **ATPU**. It has been accused of engaging in religious discrimination particularly violating the fundamental rights and freedoms of Muslims in the country. It is in this context that counterterrorism measures are exacerbating rather than mitigating radicalisation and terrorism in the country.

Q. What are the reasons for these failures?

The main reasons behind the failures are corruption and the lack of effective inter-agency cooperation. Corruption poses a serious threat to counterterrorism and security in Kenya. The most prevalent form of corruption that has adversely affected counterterrorism efforts in the country is bribery in the country's security and security-related agencies, especially the National Police Service. Bribery at Kenya-Somalia border facilitates the movement of illicit weapons hence enhancing terrorism in the country. The lack of capacity in terms of state policing personnel indicates that the state security agencies cannot be effective in policing crimes like arms trafficking and terrorism especially in a sub-region where conflicts are persistent. Corrupt police officers and immigration officials often allow illegal immigrants access into the country.

Counterterrorism operations in Kenya have also often been hindered by a lack of collaboration, coordination and cooperation among the security agencies involved in such operations. The lack of collaboration, coordination and cooperation among Kenya's counterterrorism security agencies often results in unintended adverse consequences. There is lack of coordination in the command and control, intelligence sharing and official information shared with the public pertaining to the stages of counterterrorism operations. These security agencies share similar responsibilities and jurisdictions in the rest of the country's counterterrorism efforts. The inter-agency conflicts reveal that the country's security elites pursue personal and agency-specific interests that are aimed at maintaining organisational supremacy over counterterrorism efforts. But there was, notably, a remarkable improvement with regards collaboration, coordination and cooperation among the security agencies involved in the rescue operations in the DusitDs2 Complex attack given that about 700 people were rescued.

Q. What would a more effective approach to counterterrorism in Kenya look like?

Counterterrorism efforts in Kenya should pay more attention to helping the role of non-state actors. Non-state actors are more effective in achieving their objectives through informal process-oriented methods in important areas such as countering violent extremism. Non-state civic education programmes emphasise that terrorism is not associated with any ethnic, racial and religious community but is a crime that transcends all such distinctions. This will, arguably, mitigate human rights violations committed by the state as it will demonstrate that terrorists are merely criminals rather than religious or

political followers. With regards to state-led counterterrorism efforts, more collaboration, coordination and cooperation among the security agencies involved is required so as to improve efficiency as witnessed in the rescue operations in the DusitDs2 Complex attack that resulted in a significant lower number of casualties compared to the previous large-scale attacks.

Image credit: AMISOM/Flickr.

About the interviewee

Oscar Gakuo Mwangi is Associate Professor of Political Science and Head of the Department of Political and Administrative Studies, National University of Lesotho. His research interests are comparative politics, especially in the areas of democratisation and governance, conflict and security, and environmental politics in eastern and southern Africa.

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