

**External Threats to Human Security in Kenya with Reference to the
Conflict in Somalia**

By

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ABSTRACT

The study deals with the external threats to human security in Kenya with reference to the conflict in Somalia. The central question of the study is whether the Kenyan government's conceptualization and response to the human security challenges resulting from the conflict in Somalia is resolving the human security challenges in Kenya. At a theoretical level the research explores the concept of human security and how it is conceptualized in Kenya. At a practical level the paper assesses the conflict in Somalia, the human security challenges that have resulted in Kenya due to the conflict in Somalia and the government's conceptualization of and response to the threats.

The main finding of the study reflected that Kenya's response to the conflict in Somalia and the human security threats emanating from the conflict were dependent on the security interests of the state and determined by the intensity of threats emanating from Somalia at different times. While some positive outcomes were realised, the state's aggressive approach towards the conflict in Somalia, through military intervention and counter terrorism efforts, outweighed the good. The failure to also adequately implement policies and manage refugee affairs created human insecurity in the rural areas that affected the access to basic needs, while the urban areas were plagued with issues of ethnic profiling, human rights violations and the marginalisation of the Kenyan Muslim community. While state security was prioritised, the core of Kenya's main strategies created more human insecurity rather than offering solutions towards acquiring human security.

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LIST OF ACRONYMS

AMISOM	African Union Mission In Somalia
ATPU	Anti Terrorism Police Unit
CID	Criminal Investigation Department
DRA	Department of Refugee Affairs
GOK	Government of Kenya
IPK	Islamic Party of Kenya
KDF	Kenya Defence Force
NEP	North Eastern Province
NFD	National Frontier District
NGO	Non-Governmental Organisation
OAU	Organisation of African Unity
UNDP	United Nations Development Program
UNHCR	United Nations High Commissioner for Refugees
WFP	World Food Program

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CHAPTER 1: INTRODUCTION

1. IDENTIFICATION OF THE RESEARCH THEME

Since 26th January 1991, Somalia has been engaged in a civil war, resulting in waves of Somali refugees crossing over the Kenyan border in search of security. Provisions towards accommodating the influx of refugees, both from Somalia and other neighbouring countries, were made by the Kenyan government by setting up remote refugee camps, which offered temporary protection in the North Eastern Province (NEP) and the South Western Province of Kenya. In October 1991, the management of refugee affairs were delegated to the United Nations High Commissioner for Refugees (UNHCR) (Lindley, 2011:20).

The UNHCR states that by January 2014, there were over one million registered Somali refugees in East Africa, with about 50 per cent flocking to Kenya (UNHCR, 2015). As argued by Kumssa *et al.*, (2014:145 – 146), refugee influxes tend to have critical consequences particularly in the regions that host refugee communities, such as the NEP, as they negatively affect the access to basic needs and local resources. As the population in these regions increase, it is inevitable that the competition for resources, such as land, water and food, would increase as well. Similarly, Snyder (2008:65 – 66) emphasises that there is a link between refugee migration and insecurity as demographic and economic changes as well as ethnic, cultural and religious identity could become a source of insecurity in refugee hosting countries.

The sources of human insecurity in the Kenyan context are numerous and varied. However, in many cases they have been linked to the conflict in Somalia and the influx of Somali refugees. Porous borders, inadequate policies and poor management of the influx of Somali refugees have been identified as significant factors that have contributed to the human security challenges in Kenya (Kumssa *et al.*, 2014:145). According to Kumssa *et al.*, (2014:146), the initial provisions set out by the Kenyan government towards

the management of Somali refugees were temporary, as it was assumed that the refugees would return home once the situation was stabilised. Therefore the initial aim of the government was to support, assist and provide temporary asylum for the Somali refugees, which would facilitate the eventual return of the refugees back to Somalia.

However, the conflict in Somalia was not temporary as it was initially assumed and therefore the Kenyan government's response to the refugees and the human security challenges that resulted from the conflict in Somalia began to change (Kyama, 2006). As Kenya was faced with threats such as piracy by Somalis along the coastal border and the increased threats to national security by Somali Islamist insurgents such as Al-Shabaab who were crossing over the Kenya-Somali border, the government chose to address these threats aggressively through the establishment of the Anti-Terrorism Police Unit (ATPU), the deployment of Kenyan troops into Somalia, encampment policies and the establishment of new security laws under the Security Laws (Amendment) Bill, 2014 (Wilson, 2014).

These aggressive measures sought to promote national security and ensure the safety of Kenyan citizens as a whole. However, as argued by Akopari (2007:19 – 44), the implementation of these measures was viewed as too aggressive by some Kenyan citizens and the International Community, as they were perceived as counter-productive to ensuring human security, as they instead promoted the twin processes of disempowerment and marginalization of communities, particularly, the Kenyan Muslim community. Reported cases of Kenyan Muslim youth suspected of carrying out terrorist activities being beaten, wrongfully detained and having their basic human rights ignored and violated by the Anti-Terrorism Police Unit (ATPU), reflected negatively on the state. This was due to the fact that the violation of human rights was viewed as insignificant to the state in their response to the human security challenges resulting from the conflict in Somalia (Akopari, 2007:19 – 44).

In this context, the influx of refugees, the conflict in Somalia and the Kenyan government's response to the human security challenges that have resulted from the conflict in Somalia play a significant role in the promotion or decline of human security in Kenya.

2. LITERATURE REVIEW

There is a considerable body of literature on issues relating to the human security challenges in Kenya as a result of the conflict in Somalia. However, insufficient attention has been paid by scholars and policy makers to the Kenyan government's response to these threats and how these responses affect human security in Kenya. There is also, a lack of literature addressing the human security objectives in Kenya, particularly in relation to Somali refugees and the effects of the conflict in Somalia, particularly, in the NEP. Part of the reason lies in the assumption that the conflict in Somalia could be addressed through short-term measures, as the conflict was viewed as temporary and the refugees would eventually return home. Similarly, refugee influxes have also been viewed as humanitarian issues, while more attention has been paid to terrorism and the response to terrorist activities, which have been viewed as having the most drastic effects on human insecurity in Kenya.

Some of the academic research dealing with the conflict in Somalia and its effects on Kenya were undertaken by scholars in works such as: "Conflict and Migration: The Case of Somali Refugees in Kenya" by Kumssa *et al.*, (2014); "Between a Protracted and a Crisis Situation: Policy Responses to Somali Refugees in Kenya" by Lindley (2011). Other publications dedicated to the conflict in Somalia and the human security challenges in Kenya include, "Somali Refugees in Kenya" by UNHCR (2012); and "Reluctant Partners: Fighting Terrorism and Promoting Democracy in Kenya" by Whitaker (2008).

All the literature on human security places the security of human lives at the core of human security (Tieku, 2007:26). However, some scholars, such as Newman (2001:240), argue that human security can be conceptualised through different lenses that range from geostrategic, sociological or cultural

orientations that could result in them being different and competitive. Newman's (2001:240), analysis on the conceptualisation of human security explores four concepts of human security that have been influenced by different orientations. For instance, the basic human needs approach conceptualised by the UNDP, is based on seven aspects of security that cover political, community, personal, environmental, food, health and economic security. It is focused on preventing conflict by promoting human development and by advocating a person-centric approach to security rather than a state-centric approach to security. (UNDP, 1994:24-25).

On the other hand, an interventionist approach to human security conceptualises human security as the remit of existing power structures of the state ensuring that primacy is given to human beings over the state, incorporating social and economic relations and ensuring that there is no expense to a particular group of individuals (Thomas, 2010: 161). Similarly, the social welfare approach conceptualises human security through a development-security nexus outlining that political institutions that are ineffective and weak, as well as poor environmental, economic and social conditions are the main determinants of human security or insecurity (Olivier *et al.*, 2009:2). Lastly, the new security approach is based on non-traditional security threats that emerge from globalization such as terror and cyber warfare. This approach focuses on the referent object of security being the state as well as the people; however, responses may change depending on the challenge being faced (Newman, 2001:245-246).

It has been argued that these four concepts of human security adequately address the dynamic contexts of the Third World and the challenges that are prevalent in African states. The link between development and security, inadequate access to basic needs, the influence of power structures and non-traditional security threats are significant problems in the Third World, which need to be assessed with the consideration of the dynamic contexts that are relevant to the region. According to Ayoob (1995:190), the Third World faces national security threats that are centred on regime and state legitimacy and inadequate social cohesions that increase insecurity. In the Kenyan context,

the basic needs approach and the interventionist approach provide an adequate theoretical background as issues of development and the responses to insecurity applied by government institutions seem to be at the core of the human security challenges in Kenya that have resulted from the conflict in Somalia.

Aspects of the human security implications in Kenya as a result of the conflict in Somalia have been attributed to Kenya's geographical position in East Africa. The proximity and sharing of borders between Kenya and Somalia has made it easily accessible for refugees to seek safety as articulated by Hyndman and Nylund (1998:3). As a result, Kenya has been obliged to accept these refugees due to the pressure to host refugees by Non-Governmental Organisations (NGOs), international bodies and The United Nations (Burns, 2010:8).

In his evaluation of the refugee crisis in Kenya, Kumssa *et al.*, (2014:145) outlines that, with over half a million Somali refugees in Kenya as of 2011 (Lindley, 2011:20), the main human security issues that have resulted from the influx of Somali refugees tend to affect the access to basic needs and local resources such as land, water and food which have been in distress especially in the NEP, a rural area, where refugee camps are located. The added pressures of hosting refugee communities and underdevelopment in the NEP have resulted in severe deprivation due to the scarcity of natural resources and the added competition for basic human needs, such as food and shelter. This has created a hostile environment for the host community and the refugees as three quarters of the community in the NEP live below the poverty line (Kumssa *et al.*, 2009:1008-1013).

The literature review on the human security challenges in the NEP as a result of the conflict in Somalia is wide and extensive. However, there is also a lack of current and sufficient analysis on the government response to the human security implications in the region. This is especially the case concerning developmental initiatives, funding and the management of an increased population in the region by the government.

While the NEP faces human security challenges at a basic needs level, the urban areas of Nairobi and Mombasa have been identified as regions facing political, economic and social implications that have been influenced by the spill over effects of the conflict in Somalia and government response to these implications (Kumssa *et al.*, 2011:6). General security, the tourism sector, transport and business along the Kenyan coast have suffered as a result of terrorists carrying out terrorist activities and the recruitment of Kenyan youth into Islamist movements, causing high levels of insecurity (Kirui and Mwaruvie, 2012:162). Mogire (2009:16) attributes this to the presence of refugees in a host country. In his argument, porous borders create a space for economic, cultural and social threats to thrive as they allow for illegal and dangerous activities to be carried out with ease and unnoticed without any forms of accountability.

Similarly, scholars such as Otiso (2009:107) outline that governmental power structures play a significant role in ensuring security in Kenya. In his argument Kenya's political instability, porous borders and response to the conflict in Somalia reflect negatively on the state and point towards government failure in addressing human security issues that emanate from the conflict in Somalia. Additionally, Veridrame (1999:56) contributes to this argument by addressing Kenya's initial response to refugees in the 1990s. He acknowledges that an 'Eligibility Committee' for determining refugee status was set up and the UNHCR was given responsibility for the management of refugees and refugee camps, however, as the system collapsed due to an influx of refugees the government was unable to assist the UNHCR in addressing this problem adequately. It has also been acknowledged that the government did attempt to make positive strides by enacting the Refugees Act, 2006 as a legal and institutional framework for managing refugee affairs (Pavanello *et al.*, 2010:15) however, the management of refugees has still not been adequately addressed as the yearly increasing number of refugees dominate the legislation and strategies that have been put in place.

The media also plays a significant role in outlining the human security challenges that Kenya faces as a result of the conflict in Somalia, particularly in the urban areas. News broadcasters such as NTV Kenya (2009) have described the implications of the refugee problem and the effects of the terror attacks from the Somali Islamist group Al-Shabaab as horrific and painful on the Kenyan people who have begun to feel the pinch of the conflict in Somalia. In light of this, the UNHCR (2014:2), acknowledge that the government did indeed respond to these pressures by setting up the Department of Refugee Affairs (DRA), which was to take over refugee affairs from the UNHCR in 2011 and chair refugee issue discussions with a cross-governmental refugee affairs committee (Lindley, 2011:20-23). In response to the implications of the conflict in Somalia in Kenya the DRA, in 2012, issued a directive stopping all urban refugee operations and declaring that urban refugees be relocated to refugee camps. While this eased some of the pressure in the urban areas, the problem of an increased population in the NEP, competition for resources and tensions between the host communities and the refugees only became worse in and around the refugee camps (UNHCR, 2014:2).

Similarly, other responses such as the deployment of the Kenya Defence Force (KDF) into Somalia in pursuit of the Somali Islamist group, Al-Shabaab (Shetret *et al.*, 2013:7); the KDF formally integrating under the African Union Mission in Somalia (AMISOM) (AMISOM, 2011); and the measures taken to prevent terrorism and acts of terror within the borders of Kenya (Kenya Subsidiary Legislation, 2013) are all explored greatly by scholars, humanitarian institutions and the media. However, it becomes clear very early on that the focus is on the human security challenges, injustices and failures caused by these responses. Current and sufficient analysis therefore lacks on the triumphs that the Kenyan government has made in its response to the human security challenges that have resulted from the conflict in Somalia. This study intends to address some of these shortcomings.

3. FORMULATION AND DEMARCATION OF THE RESEARCH PROBLEM

The aim of this study is to identify and assess the human security challenges on Kenyan citizens in Kenya that have resulted from the conflict in Somalia, and to review how the Kenyan government has conceptualized and responded to these challenges, with the intention of analysing whether the responses have reduced or further contributed to the human security threats in Kenya that have resulted from the conflict in Somalia.

The main research question of this study is *how has the Kenyan government dealt with the human security threats emanating from the conflict in Somalia from 1991 to 2014?* The assumption and therefore the thesis statement is that the Kenyan government has dealt with the human security threats emanating from Somalia in different and varying degrees that have been determined by the nature and the intensity of perceived threats which have obstructed the attainment of human security.

This question gives rise to secondary research questions. Firstly, *what is human security and how does Kenya conceptualize it?* The theoretical background applied to the Kenyan context will be able to identify and address Kenya's conceptualisation of human security, the core values and human security objectives that are important to the state, while identifying the contexts that shape Kenya's conceptualisation of and response to human security threats.

The second research question that arises is, *what are the human security challenges that have resulted in Kenya from the conflict in Somalia?* Exploring the human security challenges that have resulted from the conflict in Somalia would assist in identifying what the human security threats are, their effects and whether they have been addressed adequately, ignored or not realised by the Kenyan government. This question will also set the background for the third subsidiary research question, which explores the government's response to the human security challenges emanating from the conflict in Somalia and

the analysis of whether these human security challenges have been adequately addressed and managed by the Kenyan government.

The third research question is *how has the government of Kenya conceptualized and responded to the human security challenges that have resulted from the conflict in Somalia?* The subsidiary assumption is that Kenya has conceptualized the human security challenges that have resulted from the conflict in Somalia as a matter of national security and has responded in measures that vary in intensity which range from the confinement of refugees, counter-terrorism initiatives and arresting and detaining suspected terrorists. However, some of these measures have managed to marginalize the Kenyan Muslim community, as they have become a target due to the assumption that they are terrorist sympathisers or involved in terrorist activities.

The key conceptual variable in this study is the conceptualisation of human security and its context in Kenya. The time period to be evaluated is between 1991 and 2014. The year 1991 is significant as the conflict in Somalia began in 1991 and Somali refugees started arriving in Kenya in search of safety in that same year. However, historical experiences and events, where relevant, are also taken into consideration so as to gain contextual insight.

4. RESEARCH DESIGN AND METHODOLOGY

The research design that I used is a qualitative research study that was both analytical and descriptive. A brief overview of the conflict in Somalia, the historical relationship between Kenya and Somalia and the historical experiences of Kenyan Somalis and the Kenyan Muslim community were explored and contextualised. Similarly, the broadening of the concept of Security that followed the end of the Cold War was explored, identifying the shift of focus on the individual as the referent object of security moving away from the traditional western conception of security, focused on violent conflict, military strength and the state as the referent object of security. Specific attention was paid to human security in general, its characteristics, definitions and conceptualisation. Correspondingly, the conceptual framework also

included an analysis of the four concepts of human security proposed by Newman (2001) and their applicability in the Kenyan context and the human security challenges that have resulted from the conflict in Somalia. Two concepts that were more applicable in the Kenyan context were then chosen and used to assess the research question.

The methodology I have used is a literature review and a desktop study that entails the examination of primary and secondary sources. The primary sources used include official Kenyan documents such as: The Constitution of Kenya, 2010; The Security Laws (Amendment) Bill, 2014; The Refugees Act, 2006; and UN and UNHCR documents. The secondary sources also include articles and relevant books that address the concept of human security and the human security challenges that have resulted from the conflict in Somalia in Kenya. For this purpose, the study focused on the following works: “The Third World Security Predicament: State Making, Regional Conflict, and the International System” by Ayob (1995); “New Patterns of Global Security in the Twenty-First Century” by Buzan (1991); “Human Security Constructivism” by Newman (2001); and “Contemporary Security and Strategy” by Snyder (2008). These sources were used to provide a conceptual framework of human security and the broadening concept of security.

With regards to the human security challenges in Kenya that have resulted from the conflict in Somalia, the secondary sources included works such as, “Tangled Ties: Al-Shabaab and Political Volatility in Kenya: Addressing and Mitigating Violence” by Lind *et al.*, (2015); “Feeling the Pinch: Kenya, Al-Shabaab and East Africa’s Refugee Crisis” by Burns (2010); “The Dilemma of Hosting Refugees: A focus on the Insecurity in North-Eastern Kenya” by Kirui and Mwaruvie., (2012); and “Community Perceptions in Kenya’s Coast Province and Nairobi in Mapping Perceptions of Violent Extremism” by Shetret (2013).

The secondary data also included a media content analysis, which focused on the content released by the media in relation to the human security challenges that Kenyans are facing as a result of the conflict in Somalia. The media

content analysis provided information on historical and current affairs and the experiences of Kenyans in relation to the human security challenges that have resulted from the conflict in Somalia. The limitations of this methodology is that no interviews were conducted nor was field research done due to the fact that it is very costly to travel to Kenya to conduct field research and interviews.

5. STRUCTURE OF THE RESEARCH

Chapter 1: Introduction

In this chapter, the research provided a background of the conflict in Somalia in brief, the human security challenges that have resulted in Kenya from the conflict in Somalia, Kenya's response and conceptualization of these human security challenges and a literature review. The section also unpacked the problem statement, the hypothesis, key research questions, subsidiary research questions and the methodology that was followed.

Chapter 2: Human Security: A Conceptual Framework

In this theoretical chapter the broadening of the concept of security and the conceptualisation of human security were generally explored and narrowed down to four concepts of human security as proposed by Newman (2001). From these four concepts, two human security concepts were chosen and explored in conjunction with and applied to the Kenyan context. Kenya's conceptualisation of human security was also explored in this chapter. The main aim of this chapter was to answer subsidiary question one, *what is human security and how does Kenya conceptualise it?*

Chapter 3: The Conflict in Somalia and the Subsequent Human Security Challenges in Kenya

This chapter unpacked the conflict in Somalia and the human security challenges that have resulted in Kenya due to the conflict in Somalia and aimed to answer subsidiary question two, *what are the human security challenges that have resulted from the conflict in Somalia?*

Chapter 4: Kenya's Conceptualisation and Response to the Human Security Challenges that have resulted from the Conflict in Somalia

This chapter focused on the Kenyan government and how it conceptualized and responded to the human security challenges that have resulted from the conflict in Somalia and answered the subsidiary question three, *how has the government of Kenya conceptualised and responded to the human security challenges that have resulted from the conflict in Somalia?*

Chapter 5: Evaluation

This chapter summarised and concluded the study. It focused on the evaluation of the findings, by looking at the human security challenges in Kenya that resulted from the conflict in Somalia, Kenya's conceptualisation of human security, the Kenyan government's response to these human security challenges that resulted from the conflict in Somalia, the limitations and strengths of the responses by the Kenyan government and lastly offered recommendations.

CHAPTER 2: HUMAN SECURITY: A CONCEPTUAL FRAMEWORK

1. INTRODUCTION

Through a broad lens, the concept of security can be defined as, “...the pursuit of freedom from threat and the ability of states and societies to maintain their independent identity and their functional integrity against forces of change, which they see as hostile. The bottom line of security is survival, but it also reasonably includes a substantial range of concerns about the conditions of existence” (Buzan, 1991:432-433). During the Cold War era, military concerns dominated the international security agenda. Security in this era was highly polarised and militarised, due to the reality of war as a result of the intensity of rivalries between the super powers and their ideological confrontations (Buzan, 1991:433).

However, the post-Cold War era contrasted from this military dominated conceptualisation of security as new threats were identified that not only come from within the state, but also had devastating effects on the quality of human life. Threats such as poverty, unemployment, human rights violations and environmental degradation have become just as important as the threat of violent conflict in the world today. As a result, it has become increasingly necessary for not only scholars but also state leaders and policy makers to identify and address these threats as they have huge implications for achieving national security.

In the first part of this chapter the broad concepts of security and human security will be examined. In this regard, human security and the different definitions and conceptualizations will be explored and discussed. The second part of this chapter will identify and discuss four concepts of human security. The contexts and manifestations of each concept will be discussed and critiqued with the intention of identifying characteristics of each concept that address the research question.

Lastly, the third section of this chapter will identify two concepts of human

security that are the most appropriate in addressing the research question with the intention of analysing how and why they are best suited to address the context of the research question.

2. THE CONCEPTS OF SECURITY AND HUMAN SECURITY

2.1. THE CONCEPT OF SECURITY

In international relations the concept of security is one that is highly contested by Security Studies scholars (Baldwin, 1997: 10). While the pursuit of security is paramount in every society, contestation on the precise meaning of security is evident among scholars such as Mathur (1996:304) who defines security as the “preservation of liberty, life, property, honour and culture of individuals and an environment of peace and tranquillity in the society”. To Snyder (2008: 7-8) however, security lies in the balance of instruments of foreign policy and all threats that come from an array of sources such as crime, resource depletion and disease (HIV/AIDS). Alternatively, Hough (2003:8-9) proclaims that the concept of security is interconnected and mutually reinforcing at analytical and operational levels, such as, human (individual) security, communal security, state security, national security, regional security, continental security and global (international) security, and points out that a threat to one level could be a threat to all. What remains clear is that the meaning of security has been widened to accommodate different aspects such as economic, political, environmental, societal and military aspects (Baylis *et al.*, 2011:229).

Two historical epochs, the Cold War and post-Cold War era, have played a significant role in the conceptualisation of security, which underwent fundamental conceptual changes in the post-Cold War era. Traditionally, the security of an individual was guaranteed merely by his/ her citizenship of a particular state. It was assumed that the citizen was safe as long as the state was safe. Traditionally, security was focused on the essence of national security, prioritizing the protection of the sovereignty and territorial integrity of the state from external military threats (Snyder, 2008:15-41). The traditional conceptualisation of security was focused around conflict and the potential for

violent conflict within and between states. As a result military strength has always been paramount in ensuring state security (Acharya, 2011:492).

Additionally, in discussing security Ayooob (1991:261) concedes that traditional security in international relations literature was built on two assumptions. These assumptions were that:

- The security of the state was primarily endangered by threats that emanate from outside its borders and;
- These threats required a military response if the preservation of security within the state was to be achieved, as the threats were either exclusively or primarily of a military nature.

The Cold War and the realities of the potential of a nuclear war managed to strengthen this traditional western notion of security as it divided the western world into two (Ayooob, 1991:257). As a result security in an alliance became a concept of state security that was obligatory.

However, due to the process of decolonisation new members were introduced into the system of states, the Third World, creating major conceptual problems around this traditional western concept of security. When applied to Third World contexts, the traditional western concept of security did not neatly fit in. In most cases the Third World context diluted the major conceptual characteristics of state security entirely. This was attributable to the Third World contexts, which did not encompass two major alliance blocks that bound its security ties. Neither did the Third World have systemic security that was strongly linked nor did it cater for an external orientation, as was the case in the western world. Therefore, this reduced the relevance of the western traditional defined concept of security, particularly, in the Third World (Ayooob, 1991:263).

Ayooob (1995:31) asserts that, Third World security was instead built on the premise of contemporary international relations. In this premise, Third World

security was determined by the interaction of three factors based on global and regional dynamics. These factors included:

- The degree of governance within a particular state; as mentioned by Buzan (1991:112-116), the security dilemma in the Third World arises from internal dynamics and threats, as state institutions which are internally weak could be a source of insecurity to its own citizens. If the state lacks the institutional capacity to maintain and promote law and order and ultimately peace, then security cannot be achieved.
- The security situation resulting from the effects of its interaction with the international system; the Cold War and post-World War II have had an impact on the interaction between the Third World and the International system which plays a considerable role in Third World security as the third world falls victim to global issues that remain unresolved (Job, 1992:12).
- The interaction with the regional environment where the state is located; territorial borders and boundaries created by colonial powers have played a significant role in the security dilemma in the Third World. Groups within the state and the region have been left with tensions, conflicts and divisions that have resulted from these arbitrary colonial divisions which becomes problematic as tensions and conflict tend to cross borders (Job, 1992:12).

In accordance with these factors, Acharya (2011:492 – 494) asserts that, new security threats and issues introduced into the state by state institutions that are weak, the interaction and interconnectedness with the international system and the regional environment all have consequences that affect the quality of life of individuals. The concept of national security no longer catered for the challenges and dangers that threatened societies, states and the international community in the post-Cold War era, which led to the broadening of security (Acharya, 2011. 492-494).

With this broadening of the concept of security, Peoples and Vaughan-Williams., (2010:17) acknowledge that the concept of security broadened beyond the military as the main source of security, by including a range of issues. These issues could be introduced in the security agendas of states through the process of securitization, which can be defined as “...The positioning through speech acts (usually by a political leader) of a particular issue as a threat to survival, which in turn (with the consent of the relevant constituency) enables emergency measures and the suspension of ‘normal politics’ in dealing with that issue.” (McDonald, 2008:567).

As discussed by Snyder (2008:7-9) the present world faces threats that come from an array of sources such as, natural disasters, forced migrations (refugee flows), resource depletion and environmental degradation. This has made it necessary to extend the agenda and sources of insecurity beyond the state, by including a variety of issues and actors and by making the individual human being the referent object of security. Therefore, due to the growth of sources of insecurity, actors and issues globally, human security has been viewed as a prospective response to the security dilemma. Military responses that are based on traditional discourses of security have failed to adequately address the threats that face individuals, such as, environmental change, inequality and human rights, which policy makers argue can be potentially prioritized and meaningfully addressed through human security (McDonald, 2002:277-278).

2.2. THE CONCEPT OF HUMAN SECURITY

Human security as an idea was promulgated in 1994 by the United Nations Development Program (UNDP) in the 1994 Human Development Report and was concerned with communities and individuals as the referent object of security moving away from the traditional disposition of security (Kaldor, 2007:182). The Human Development Report described the traditional approach to security as a narrow interpretation that focused primarily on nation states rather than people, which lacked the potential of offering both development and security which human security entails (UNDP, 1994). According to the UNDP (1994:22-23), Human security has various definitions

but there are four basic characteristics that human security should focus on.

These include:

- Human security is a universal concern;
- The components of human security are interdependent;
- Human security is easy to ensure through early prevention; and
- Human security is people-centred.

2.2.1 HUMAN SECURITY: THE DEFINITIONS

There is no universal definition of human security but there have been some efforts made in defining human security within different contexts, perspectives and political orientations (Newman, 2001:242-247). This paper therefore aims to explore the different definitions of human security with the intention of providing a working definition that addresses the research problem appropriately.

At its broadest level human security has been identified as having two major components, freedom from fear and freedom from want. Many governments and proponents of human security have adopted this idea of human security that is defined as a concept that "...Embraces far more than the absence of violent conflict. It encompasses human rights, good governance, access to education and health care and ensuring that each individual has opportunities and choices to fulfil his or her potential. Every step in this direction is also a step towards reducing poverty, achieving economic growth and preventing conflict. Freedom from want, freedom from fear, and the freedom of future generations to inherit a healthy natural environment - these are the interrelated building blocks of human - and therefore national - security." (Annan, 2000).

In this context, human security takes on a flexible approach as it takes into consideration the threats different groups of people experience according to their specific contexts, desires and wants. It focuses on the particular threats that are most relevant to the daily lives of individuals with the intention of allowing them the freedom to want what they desire without the fear that they

may lack what it is that they want. The key starting point in this context of human security is the identification of the most important values of a particular group of people that are under threat with the intention of reducing these threats. (Gomez *et al.*, 2013:2). Human security as explored in this manner includes social and economic freedom, which would allow for individuals to be free from fear as they feel secure and to be able to achieve what they want as they are economically and socially equipped to fulfil their desires. (UNDP, 1994:3).

Additionally, human security has also been defined from a quality of life perspective as, “.... Anything which can upgrade the quality of life – economic growth, improved access to resources, social and political empowerment, and so on – is an enhancement of human security” (Thakur, 1997:53-54). In this context a range of social and developmental variables are considered to bear directly on human security. It therefore links development and social variables as factors that could enhance or hinder the quality of life of particular groups and/or an individual, which could trickle down as a threat to international security (Duffield, 2005:1).

Lastly, human security has also been defined as, “... The right to participate fully in the process of governance; the right to equal development as well as the right to have access to resources and the basic necessities to life, the right to protection against poverty; the right to conducive education and health conditions; the right to protect against marginalization on the basis of gender [religion or ethnicity]; protection against natural disasters as well as ecological and environmental degradation” (African Union, 2004:1). As asserted by the Commission on Human Security (2003:2) this definition of human security not only speaks of the enhancement of the quality of human lives but also accommodates the political and social empowerment of individuals, access to resources and the means to act on their own behalf. This definition addresses both the processes of governance, equal development and access to basic necessities, which fit in with the context of the research question. For those reasons it will be used as the working definition of human security in this study.

2.2.2 CONCEPTUALISING HUMAN SECURITY

Human security is built upon the premise of identifying and preparing for distinct direct and indirect threats in order to protect human lives (Alkire, 2003:3-4). Through academic quarters and policy development, human security emerged as a challenge to traditional security studies and was conceptualised in varying ways as an emancipatory process that was facilitated by the reconceptualization of security in the post-Cold War era (Grenfell and James., 2009:15). Human security proponents such as Sen (2014:18) argue that as much as human security deals with issues of human rights, human development, individual dedication or national security, it is not the same but it does however relate to them.

Different scholars and policymakers have conceptualised human security based on different contexts. These contexts range from issues of deprivation, the reduction of human costs and human fulfilment. As a result, different variations of human security exist such as, the Commission on Human Security's (2003:4) conceptualisation of human security from the context of enhancement, which acknowledges that, the development of human fulfilment and freedoms that are vital to human lives and their core values, with the intention of protecting them, builds on people's aspirations and strengths. Therefore, by dealing with threats that are critical and prevalent, human security enhances dignity, survival and livelihood by creating systems that deal with matters pertaining to the cultural, economic, military, environmental, political and social environments.

Alternatively, Gomez and Gasper (2014:2) concede that the concept of human security consists of two dimensions, the connectivity dimension and the equity dimension. These two dimensions form the basis of a human security analysis that covers issues of vulnerability and deprivation. From this perspective, the fulfilment of basic needs and human rights are dependent on how they can be achieved by enhancing how people live socially and economically. In this context the interactions and intersection of human lives

and the opportunity and threats that can arise from the interconnecting systems, affect human lives and ultimately human security.

Additionally, scholars such as Acharya (2001:19-20) conceptualise human security from the perspective of the reduction of human costs, such as inequalities, violent conflicts and marginalization. From this perspective, the responsibility to set up strategies that would deal with and address the negative effects of globalization and the lack or potential lack of basic human needs lie on the government. Governments are therefore expected to provide a framework that sets up social safety nets that address threats and potential threats that may have a severe impact on human lives.

While some scholars place the individual as the sole referent object of security, some argue that state security is just as important, as the maintenance of international peace and security, can only be achieved if human security recognizes that the protection of people is just as integral as the protection of the state. However, the degree of prioritization differs from one concept to the next as some scholars argue that the protection of the individual should take a higher priority in the quest for peace and security (Axworthy, 2001:19-20).

Contrastingly, the United Nations Commission on Human Security (2003) affirms that human security and state security are complementary. From this perspective the state cannot be given the sole responsibility to protect the individuals within its borders because of the very fact that some states are actually responsible for the threats and challenges that are facing its citizens and non-citizens. Comparatively, the constraints imposed by war and the threat of war, also need to be considered in the pursuit of human security just as much as poverty, poor education and oppression (Fierke, 2007:188). Therefore, even with the consideration of emancipation, the state should be retained as a referent object of security alongside the individual (Snyder, 2008:42).

Despite the variety of human security definitions and conceptualizations, there are some points of similarity that are shared in the concepts of human security. Firstly, consensus exists that the traditional conception of security no longer addresses the security challenges that affect the post-Cold War era. Thus it was necessary for the referent object of security to shift from the state to the individual. There is also consensus that, central to the security threats that are present globally, the quality of human life is the most important (McDonald, 2002:279).

With consensus however, there will always be points of difference. The most common of which is that some theorists argue that particular situations of insecurity cannot be understood or dealt with appropriately if the individual is set as the referent object of security, as it does not always facilitate a better understanding of the security situation. Theorists argue that particular contexts and actors under threat should determine the referent object of security and it should not be automatically set to the individual as this would determine whose security is to be addressed and which concerns have to be prioritized (McDonald, 2002:280-281).

Similarly, other theorists argue that human security's focus on fundamental absolute needs, human rights and basic capabilities creates limitations for human security. This is attributed to the reduction of human abilities and activities to a limited number of vital core values that are identified and protected. An implication of this is that all aspects of living that are profound or necessarily important are contained in scope (Alkire, 2003:3), which tends to dilute the analytical power of security, which may result in nothing getting done (Munck, 2009:37-38).

It is therefore necessary to look at these vital core values and how they are identified and protected with the intention of analysing whether the analytical power of security is indeed diluted in the conceptualization of human security. Newman (2001:240) outlines four emerging concepts of human security that have been conceptualized in different and sometimes competing ways that are reflective of different sociological contexts and security concerns which

will be explored further in this chapter. These concepts of human security include:

- The basic needs approach;
- The assertive/ interventionist approach;
- The social welfare/ developmental approach; and
- The new security approach

Newman (2001:239) explores these four concepts as strands of thoughts that are not mutually exclusive but tend to overlap as they group together issues of human security. He explores these interpretations through the lens of human security, a concept which places people either collectively or individually as the referent object of security in fledging policy and academic movement, with the intention of challenging traditional security conceptions by relating development, governance and security in the context of transnational norms that are evolving globally (Newman, 2001:239).

Newman (2001:239) conceptualises human security through different contexts and orientations that range from geostrategic, cultural and sociological orientations. He suggests that there is no school of thought of human security that is objective or coherent, and pays special attention to norms and values asserting that they impact human security and international relations. Newman's (2001:239) focus on a range of agendas, actors and alliances addresses the dynamic nature of the human security challenges in Kenya as a result of the conflict in Somalia. It offers a space for analysis that considers the contextual differences of both the urban and rural areas, the different actors involved, and the core values and norms that shape Kenya's response to the conflict in Somalia which will be explored in greater detail in the rest of this chapter.

3. THE FOUR CONCEPTS OF HUMAN SECURITY

3.1. THE BASIC NEEDS APPROACH

The most widely used of these interpretations of human security, by scholars, is the basic human needs approach that has been presented by the UNDP in the 1994 Human Development Report. The report is based on the premise of 'freedom from fear' and 'freedom from want' which it describes as the two levels where peace can be fought for as one covers a security level while the other represents an economic and social level which would ensure peace if human security is victorious on both levels. The report also outlines the individual as the referent object of security and states that threats to security may differ from nation to nation, but are relevant to people everywhere. (UNDP, 1994:3).

The basic human needs approach focuses on four fundamental characteristics of human security as explored by the UNDP (1994:22-23).

- Human security is a 'fundamental concern' as many threats are common, growing and real throughout the world and they only differ in intensity;
- The components of human security are 'interdependent' and as threats are no longer confined within borders, consequences are felt globally especially with issues such as ethnic disputes and terrorism, resulting in the involvement of all nations;
- 'Early prevention' could easily ensure human security, as it is less costly than later intervention; and
- Human security is 'people-centred' as it focuses on freedom of choice, access to economic and social opportunities and how people live in situations of peace or conflict.

From these four characteristics of human security the basic needs approach identifies seven core elements, of which the concept of human security is comprised. These seven core elements are:

- Economic security
- Food security
- Health security
- Environmental security
- Personal security
- Community security
- Political security

These categories cover fundamental issues such as basic income, the economic and physical access to basic food, access to health services and relative freedom from disease and infection, the protection of global and local ecosystems from degradation, security from physical violence, security on the premise of belonging to a particular group or community and lastly, the security to exercise control over information and ideas in a society that honours basic human rights (UNDP, 1994:24-33). Newman (2001:243) emphasizes in his argument that, the basic needs approach is best suited to deal with conflict and security issues that affect the world today, as many insecurities arise from the challenges of daily life rather than the prospects of devastating world events. He also asserts that, the basic needs approach provides the best indicator for human security, as many threats to security tend to have economic and social roots. While the intensity of these threats, such as unemployment, pollution and drugs vary, they tend to have an effect on all people making it necessary to address the root cause of conflict through the satisfaction of basic human needs.

In accordance with this, some scholars such as Wamucii and Idwasi., (2011:191-192) take the argument even further, stating that the basic needs approach to human security is appropriate for tackling the human security challenges in the African context as African states tend to be the cause of insecurity towards their citizens as a result of incapability and policy failures particularly on developmental issues as a result of country resources being misused, which has led to issues of deteriorating health, poor education standards and poverty. Thus, the broad nature of this approach allows for

African countries to set up their agendas from a developmental perspective, allowing states to contextualise African issues which are primarily built around development and the lack thereof.

However, some scholars have argued that the UNDP's conceptualisation of human security as having seven core elements takes on a very broad approach. This conceptualisation therefore does not manage to integrate human security as a single concept within a coherent framework as it is too inclusive, which causes a loss of meaning to the construction of the concept of human security, security as a whole and the formulation of foreign policy (King and Murray., 2002:591).

3.2 THE INTERVENTIONIST/ASSERTIVE APPROACH

On the other hand, the interventionist/ assertive approach outlines that the security based on the protection of the state, does not facilitate the security of its citizens. Therefore human security should focus on the individual as the most important referent object of security even if the security of the individual and state sovereignty are in contest (Newman, 2001: 244). This approach to human security has been contextualised under modern conflict trends, such as, cases of state collapse and civil war and the effects this have particularly on the individual. Issues such as displacement and victimisation of civilians tend to result from these modern conflicts (Newman, 2001:244). The conflict in Somalia is a good example of this as it has resulted in large numbers of refugees seeking safety in neighbouring countries due to the state's inability to protect its people.

The fundamental idea of this approach is that even if sovereign prerogatives are encroached upon, gross human suffering must be alleviated at all costs. In this case, it is argued that sovereign prerogatives sometimes need to be relinquished, if state actions tend to hinder the alleviation of gross human suffering. As a result, the human security arena is contested and cohabited by forms of coercion of a humanitarian and interventionist nature (Newman, 2001:244). Axworthy (2001:19) subscribes to this interpretation of human

security and describes it as a new measure of international and national security politics that allows for the measurement of success or failure through the exploration of the role that the state plays when it comes to ensuring and providing protection to its people. In this context, it is argued that bad governance, globalisation and economic adversary have managed to hinder the capacity of the state to protect its people leaving the welfare and rights of its populations under major threat due to the state's incapacity (Axworthy, 2001:19).

Similarly, Newman (2010: 244) argues that situations of state failure and repressive governments tend to pose danger to its civilians, which calls for the focus on human consequences as a result of armed conflict. In this approach there is a need for human security to be prioritised as conventional forms of security tend to be lacking and inadequate in the exploration of the impact, description and explanation of armed conflict realities on humanity. The challenge therefore lies in the development of a mechanism that is consistent and consensus based, that deals with intervention of situations of gross human suffering by establishing parameters for how, when and where to intervene. In his argument, this concept of human security would establish a new measure for judging national and international security politics, on failures and successes of policies and intervention strategies based on the protection of civilians from the state.

3.3 THE SOCIAL WELFARE/DEVELOPMENTAL APPROACH

The social welfare/ developmental approach on the other hand, argues that the fulfilment of security and individual agency is centrally based on the construction of freedom and other public goods from the foundation of development. Survival and safety are viewed as a basic minimum, and therefore with regards to critical human needs the approach goes beyond development as an end, but views development as a means to an end, with particular reference to the promotion of human welfare. By supporting local ownership of development, those affected will have the problems and solutions oriented around them. Therefore, comprehensive and integrated

strategies for human security should be established so as to ensure democracy, development and peace (Newman, 2001:245).

This approach places the individual as the referent object of security and focuses on the development-security nexus, as it outlines that intellectual, cultural and material development of human beings is achieved through growth, equity and a strong sustainable angle. Similarly other scholars argue that political institutions also play a significant role when it comes to development as human security can be diminished through inefficiency and poor and weak economic, environmental and social conditions (Olivier *et al.*, 2009:2). Other proponents of the developmental approach also call for security and development professionals to work together as human security modifies rather than displaces developmental assistance, which can assist in the cohesion of a community (Piccioto *et al.*, 2010:33 - 35).

3.4 THE NEW SECURITY APPROACH

Lastly, the new security approach focuses on strengthening state capacity and the avoidance of spill over effects from, the processes of globalization, technological, economic and political changes that facilitate for the growth of globalization and the exploitation of these same opportunities by malicious forces, which could result in security, development and democracy facing serious challenges. The new security approach looks at non-traditional security issues that have emerged globally, such as terrorism, cyber warfare, drugs and human trafficking and the effects thereof on the society. In this context both the state and the individual are the referent objects of security, where one takes precedence over the other depending on the challenges at hand and the response that would yield more positive results. Underdevelopment and corruption play a huge role in the new security approach, as state institutions that are weak tend to set up majority of the contexts (Newman, 2001:245-246).

According to Newman (2010:80), this approach towards human security is primarily relevant in academic circles and is focused on the policy interest of

scholars. Issues of non-traditional security are tackled under the human security umbrella with the intention of garnering both resources and attention to these issues. Kaldor (2014:66) also argues that the effects of globalisation and the interconnectedness of the world in the 21st century has resulted in new narratives of security risks that have implications both for the state and particularly the individual, as state sovereignty has become conditional in the wake of globalisation as physical boundaries are no longer effective in ensuring security as both the domestic behaviours and the outside world tend to have significant effects on insecurity.

As a result, there has been an increase in risks, which have managed to erode the trust that was once placed on state institutions. This has therefore called for new security thinking and the growth of human security measures that go beyond military intervention, that will be able to fit this gap, by assisting in the identification of these risks and alternative measures that could be put into practice so as to eliminate these risks (Kaldor, 2014:66).

Newman's (2001:246) conceptualisation of human security acknowledges that the deprivation of human security can develop into challenges for the state, such as civil unrest. By focusing on four overlapping approaches that are not mutually exclusive, different security concerns and outlooks are addressed as they all cater to a variety of human security perspectives, actors, agendas and contextual differences. The consideration of norms, orientation of values, focus and methodology that also include the society, cultures and geostrategic orientations are useful especially in identifying the political perceptions and priorities of different states. Similarly, the ideals of human security based on the dual dimensions of "freedom from want" in the basic needs and social welfare approach and "freedom from fear" in the interventionist and new security approach tend to create an all-inclusive analysis that addresses different contexts and human security priorities which would be useful in the analysis of the Kenyan context. However, while this conceptualisation tends to be lacking in the areas of analysis for the purposes of practical or policy use, it does offer the best basis for analysis of the human security challenges in Kenya that have resulted from the conflict in Somalia,

as it offers a focus on existing power structures and how they can determine who enjoys security and who does not. This will be discussed in the next section.

4. HUMAN SECURITY IN THE KENYAN CONTEXT

The purpose of this section is to identify and explore the core values and human security interests in the Kenyan context. This section also aims to identify the human security criteria, based on the core values and interests of the state, that is best suited to analyse the human security challenges that have resulted from the conflict in Somalia and whether Kenya's response to these human security challenges have been successful within the confines of the human security interests of the state.

Human security in the Kenyan context has been approached by policy makers through a human development lens, since the 1990s. According to the UNDP (2006:5), the risks and vulnerabilities faced by the country at a national, community and individual level have required a developmental approach as issues such as increasing poverty and declining livelihoods have had a profound effect on human insecurity. Development has since been a priority for the Kenyan government as there has been a significant decline in human security that needs immediate attention (UNDP, 2006:5).

The philosophy of African socialism informed Kenya's development paradigm after it gained independence in 1963. This development paradigm explored both human security and human development principles even though the terms were not used explicitly. Kenya prioritised equal opportunities, freedom from want, freedom of conscience, human dignity and social justice among other elements in its development objectives. However, these objectives proved to be a challenge to obtain and maintain as there has been, in recent years, a decline in human security ranging from issues of general insecurity and petty crimes to more serious human security violations such as ethnic cleansing and terrorism (UNDP, 2006:4-7).

While development has been singled out as a key player in human insecurity, government institutions have also played a significant role in the deteriorating human security conditions. The failure of government institutions in outlining adequate security policy objectives and implementing them due to issues of corruption and inefficiency, have been to blame (ICTJ, 2010:3). According to Uhuru Kenyatta the current President of Kenya, "...departments [have been] unable to perform their duties, either owing to weak leadership, poor strategic guidance or lack of adequate resources. Weakness in the state is the leading cause of insecurity of all forms, and this brings us to how our daily work must begin to consciously focus on its value-addition to national security" (Kenyatta, 2014).

Similarly, Kenya also lacks a comprehensive national security policy, which has managed to hinder cooperation, coordination and joint planning (ICTJ, 2010:4). Kenya however relies on the Constitution of Kenya, 2010 as a guide that informs the security sector. The Constitution of Kenya, 2010 explicitly states that the promotion of human security and the prevention of conflicts in the future are the priorities of the state. The Constitution of Kenya, 2010 provides a framework that aims to prevent the recurrence of violent conflict by promoting human security, identifying and addressing the root causes of insecurity in Kenya. The Constitution 2010, addresses human security concerns and dispenses a framework for restoring democracy and justice (ISS, 2010:2).

The constitution's framework outlines the basic needs all Kenyan citizens are entitled to, the core national values as well as how the state and its institutions should conduct themselves when faced with challenges particularly under human security principles (The Constitution of Kenya, 2010:15–16). These core principles of governance and national values as proposed by the constitution of Kenya (2010:15–16) include,

"Patriotism, national unity, sharing and devolution of power, The rule of law, democracy and participation of the people; human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination

and protection of the marginalized; good governance, integrity, transparency and accountability; and sustainable development.”

Similarly, under the Bill of Rights, the Constitution of Kenya, 2010 also outlines that every person should have access to basic human rights such as the right to,

“ The highest attainable standard of health, which includes the right to health care services, including reproductive health care; to accessible and adequate housing, and to reasonable standards of sanitation; to be free from hunger, and to have adequate food of acceptable quality; to clean and safe water in adequate quantities; to social security; and to education. A person shall not be denied emergency medical treatment. The state shall provide appropriate social security to persons who are unable to support themselves and their dependents” (The constitution of Kenya, 2010:31).

Additionally, the president of Kenya, Uhuru Kenyatta, in a public address speech, in accordance with the core values and principles of the state outlined in the constitution affirmed that the priority of the state is to preserve human security as “...there is no higher calling or responsibility that exists for us as the top public servants than to lead efforts to secure our people's lives, property, the country's territorial integrity, and the defense of our constitution against all enemies, foreign and domestic, on which is premised every other economic, social and political aspiration we have as Kenyans”(Kenyatta, 2014).

The Constitution of Kenya, 2010, the Bill of Rights and the President’s speech all clearly identify and contextualise the core values and interests of Kenya, which fall in line with the two dimensions of human security based on vulnerability and deprivation, as argued by Gomez and Gasper (2014:2). The pursuit of these core values and interests by the government of Kenya has however been hindered by several challenges which range from weak and

poor government institutions, economic constraints and the most debilitating, its proximity to the conflict in Somalia. Kenya's geopolitical position not only positions the economic stability of East Africa as a region on Kenya's prosperity but also places it as the regional safe haven for the majority of the Somali refugees who are fleeing the conflict in Somalia. The continuous influx of refugees and other spill over effects have proven to be significant challenges in ensuring human security. The conflict in Somalia therefore increases the burdens and challenges of achieving human security and maintaining stability (Burns, 2010:6) within Kenya.

The spill over effects of the conflict in Somalia have caused many human security challenges in Kenya, with the most debilitating effects occurring in the rural area of the North Eastern Province (NEP) and the urban areas of Nairobi and Mombasa. The rural NEP faces human security challenges that revolve around the access to basic human needs, while the urban areas of Nairobi and Mombasa face human security challenges that revolve around human rights and general security, which have also been motivated by the government's response to the conflict in Somalia. The main human security challenges in Kenya that have emanated from the conflict in Somalia tend to fit under two of the concepts of human security that have been outlined by Newman (2001) and have been discussed above. The two interpretations include:

- The basic needs approach; and
- The interventionist/ assertive approach

The basic needs approach is best suited to analyse the human security challenges that are faced by individuals in the rural area of the North Eastern Province of Kenya (NEP), as feelings of insecurity in the region tend to arise from the challenges of daily lives. Thus, the basic needs approach offers the best indicator for human security in the region, as the root causes of tension and conflict tend to result from social and economic challenges that have had a profound effect on the quality of human life, due to the increasing number of

Somali refugees in the NEP. Therefore, the categories for human security in the basic needs approach, such as personal security, community security and economic security, will be used as a criteria for the assessment of human security in the NEP. These categories will be used to test how the increase in population in the NEP has affected human security in the region.

The human security challenges in the NEP have been attributed to the presence of the Dadaab refugee camp, located in the region, due to its close proximity to the Kenya-Somalia border, which has created a significant increase in population and affected human security. The majority of the human security challenges in the NEP are primarily based around the two dimensions of deprivation and vulnerability. These challenges, which will be explored in greater detail in the next chapter include:

- The distress of and competition for local resources such as land, water, energy and the environment;
- Underdevelopment particularly in terms of infrastructure and health care;
- Severe deprivation due to scarcity of natural resources such as land, water and food; and
- Access to basic human needs, such as adequate education, food, adequate housing and healthcare (Kumssa *et al.*, 2009:1008 – 1013).

The basic needs approach corresponds well with this context as it tackles developmental issues broadly, which would allow for an adequate assessment of what the human security challenges are, if they have been adequately addressed and the developmental agendas and policies that can be put into place to ensure human security in the future (Wamucii and Idwasi., 2011:191-192).

On the other hand, the urban areas, particularly the capital city of Nairobi and Mombasa, face human security challenges from the conflict in Somalia, that are considerably different from those in the NEP. These human security

challenges tend to arise from the conflict in Somalia, Somali refugees and to an overwhelming extent, the response of government institutions to the conflict in Somalia and its effects on human security in Kenya. According to Newman (2001:244), the interventionist/ assertive approach will provide criteria for assessment that will measure the successes and failures of intervention through strategies and policies proposed to promote human security and the effects of different actors, such as, government institutions and terrorist groups on human security. The analysis of human security in Kenya will assess whether the human security interests of the state, such as, the protection of civilians from state-sponsored aggression, conflict, tensions and religious marginalisation have been achieved in light of the conflict in Somalia and its effects on the people of Kenya.

The human security challenges that will be explored as a result of Kenya's response to the conflict in Somalia include:

- Extra-judicial killings of Muslim clerics by the Anti-Terrorism Police Unit (ATPU);
- Illegal arrests of the members of the Kenyan Muslim community by the ATPU and the Kenya Police; and
- The erosion of citizen rights through the marginalization of the Muslim community in terms of political involvement, employment opportunities and the acquisition of Kenyan identity documents (Otiso, 2009:107).

5. CONCLUSION

The main objective of this chapter was to examine the competing definitions and concepts of human security with the intention of providing a working definition of human security and a conceptual framework that would address the research question appropriately. The different interpretations of human security, concepts of human security and human security interests in the Kenyan context have been examined alongside Newman's (2001) four concepts of human security of which two have been identified as criteria's for

the analysis of human insecurity in the Kenyan context, with reference to the conflict in Somalia.

The Kenyan government may not have a clear and distinct definition of human security, but the Constitution of Kenya, 2010, has however provided an idea of what human security entails in the Kenyan context by outlining the core values, the fundamental principles of governance and the basic human rights and needs every Kenyan citizen should have access to and that shape the human security principles in Kenya. This has allowed for a framework of analysis on the human security challenges that are present in Kenya as a result of the conflict in Somalia.

Newman's conceptualisation of human security corresponds well with the African context and in particular, the Kenyan context as the four concepts, the basic needs approach, the interventionist approach, the developmental approach and the new security approach, all address human security threats that are prevalent in Kenya as a result of the conflict in Somalia. The interaction of different actors, agendas and context specific concerns lie at the heart of Kenya's human security challenges, which have had adverse effects in different regions of Kenya. As identified in Newman's conceptualisation of human security factors such as social, cultural and geostrategic orientations play a significant role in creating human security concerns in these regions, therefore the analysis and interpretation of human security in Kenya should include these factors in order to achieve an adequate assessment.

The broad approach towards human security that is explored in the basic needs approach is best suited to assess the human security challenges in the NEP as they are primarily based on developmental issues, which the basic needs approach explores and provides core categories of measurement. On the other hand, the interventionist approach provides criteria for the assessment of human security challenges that are present in the urban areas of Nairobi and Mombasa, as a result of the influence and roles played by government institutions in response to the conflict in Somalia and the refugee problem. These two interpretations therefore provide a measurement of

successes or failures that are specific to the different human security challenges in the rural and urban Kenyan contexts, with regards to the conflict in Somalia.

In the next chapter, the study will focus on the human security challenges that are present in Kenya as a result of the conflict in Somalia in more detail.

CHAPTER 3: THE CONFLICT IN SOMALIA AND THE SUBSEQUENT HUMAN SECURITY CHALLENGES IN KENYA

1. INTRODUCTION

This chapter seeks to unpack the conflict in Somalia and how it has contributed to the human security challenges in Kenya. It is necessary to provide a historical background of the conflict in Somalia, the relationship between Kenya and Somalia, how this has influenced human security in Kenya, as well as how this has shaped the attitudes and responses of the Kenyan government towards the human security challenges that have resulted from the conflict in Somalia.

This chapter will therefore provide a historical overview of the conflict in Somalia and the relationship that Kenya and Somalia have had in both the pre-independence and post-independence era and the years leading up to 2014. The chapter will focus primarily on the rural area of the North Eastern Province (NEP) as well as the urban areas of Nairobi and Mombasa. These three provinces, in comparison to the rest of Kenya, are relevant to this study as they have been the most affected by the conflict in Somalia and have had the highest levels of human insecurity, in political, social and economic spheres, as a result of the conflict in Somalia.

According to Burns (2010:7), both the NEP and Nairobi have been adversely affected by the conflict in Somalia due to a significant increase of Somali refugees in both regions. The NEP and Nairobi have been reported as having the highest number of Somali refugees. This has been attributed to the NEP's close proximity to Somalia and Nairobi's large Kenyan-Somali population, respectively. The NEP also owes its large Somali refugee population to the largest refugee camp, Dadaab, which is located in the region, 100 kilometres away from the Kenya-Somali border. Nairobi on the other hand, is home to many urban Somali refugees who reside mostly in Eastleigh, an area primarily dominated by both Kenyan and non-Kenyan Somalis.

While Mombasa, located in the coastal province of Kenya, does host some urban Somali refugees, the numbers do not compare to those in Nairobi and the NEP. Mombasa has however been affected by the conflict in Somalia due to its close proximity to Somalia via the Indian Ocean. Conversely, Bradbury and Kleinman., (2010:9-21) argues that human insecurity in the region can also be attributed to the majority of Kenyan Muslims, both of Somali origin and non-Somali origin who reside in the region; terrorist activities; and the recruitment of Kenyan Muslims by the Somali Islamist group Al-Shabaab, which will be discussed in greater detail in the rest of this chapter. As a result, a level of mistrust and fear around Kenyan Muslims has surfaced following the conflict in Somalia and the presence of Al-Shabaab, particularly in Mombasa. In his argument, Bradbury and Kleinman., (2010:21) state that Mombasa has become the central hub of marginalisation in Kenya, causing tension and conflict in the region which has had human security implications for Kenyans, in particular, Kenyan Muslims. This chapter will address the subsidiary question two, which is, *what are the human security challenges that have resulted in Kenya from the conflict in Somalia?*

2. A HISTORICAL OVERVIEW OF THE CONFLICT IN SOMALIA

The Republic of Somalia was in a state of civil war between 1988 and 1992. The Somali civil war began from resistance by, clan-based opposition groups, towards the Somali dictator, Siad Barre. The Barre regime was eventually overthrown in 1991 and a power vacuum ensued creating a space for various competing armed factions to fight for control over Somalia, an ongoing battle that resulted in state collapse. With the absence of a central government, widespread and destructive armed clashes, as well as inter-clan fighting since the 1990s, Somalia has remained ravaged. The intensity and nature of warfare in Somalia has varied over the years, making it a zone of intermittent armed conflict (Mekhaus, 2003:407-410).

As a result, between 1991 and 1992, Somalia was no longer a peaceful place. Due to Somalia's destruction and wide spread conflict, Islamist terrorist organisations such as Al-Shabaab thrived and managed to gain control of the

majority of Northern Somalia in 2006 (Kumssa *et al.*, 2009:1015). Al-Shabaab is an Islamist militant group that was first set up in 2006 with the intention of overthrowing the Somali government. It has been estimated that Al-Shabaab has about 6000 - 7000 members and has managed to remain in control of most of northern Somalia, to date. In recent years it has been argued that Al-Shabaab has extended its interests to the rest of East Africa with the intention of creating an Islamic state in the region (Burns, 2010:11).

The civil war drove many people out of Somalia in search of safety while some who chose to remain were eventually forced out by famine between 2010 and 2012, which ravaged the southern parts of Somalia, claiming about 280 000 lives. With no central government and the damaging effects of the famine, Somalia has remained open and vulnerable to insecurity at economic, social and physical levels (Gundel, 2003:235). As the Southern parts of Somalia were being ravaged by famine and intensified civil conflict, the NEP, which borders Somalia, began receiving Somali refugees in large numbers. Kenya felt compelled to accept these large numbers of Somali refugees due to its legal obligations towards refugees, as part of its commitment to the OAU, the United Nations 1967 Protocol relating to the Status of Refugees, International Law and the United Nations 1951 Refugee Convention. As Kenya accepted these refugees, refugee affairs were left in the hands of the UNHCR and not the government of Kenya. Initially these refugees were allowed to move freely and had rights and privileges that allowed them to engage in commercial activities, seek employment, have access to social services and even acquire identification documents (Mogire, 2009:16-17).

However, as the refugee numbers began to grow, Somali refugees were welcomed into Kenya under the condition that they would be there temporarily and sheltered in refugee camps (Hyndman and Nylund., 1998:3-4). According to Mogire (2009:16-17), these refugee camps were set up in remote rural areas such as the NEP, due to insecurity in the urban areas. Refugees were linked to terrorism and crime by the President Moi regime, shifting the image of refugees from asylum seekers to security threats, which led to their detention, denial of asylum and restriction to refugee camps that still remained

under the care of the UNHCR. The largest of these refugee camps, Dadaab, which comprises of three separate camps, Ifo, Hagadera and Dagahaley is located in the NEP (Crisp, 2000:602). As stated by Kumssa *et al.*, (2009:1013), Dadaab hosts the majority of the over 500,000 registered and unregistered Somali refugees, that are living in Kenya as of January 2014 (UNHCR, 2015).



Figure 1: Map of Kenya (Source: Emapsworld, 2014)

Figure 1 is a map of Kenya showing the eight administrative provinces in Kenya. According to the Map the NEP, which is referred to as North-Eastern, borders Somalia making it the closest province to Somalia. On the other Hand, Mombasa, which is located in the Coast province, is connected to Somalia via the Indian Ocean, while Nairobi is more centrally placed as the capital city and business hub of Kenya. For these reasons, Murunga (2005:146-147) contends that the NEP was the ideal area to host Somali refugees because of its proximity to Somalia, as well as its historical links to

Somalia. During the immediate post-colonial and colonial era the NEP, formerly known as, Northern Frontier District (NFD) was home to Kenyan-Somalis who were separated from other Somalis in Somalia and the Horn of Africa during the colonial partition. These Kenyan-Somalis were also separated from the rest of Kenya due to ethnic differences, which limited any sense of belonging they had towards Kenya. For that reason, the NEP remained a distant place that was marginal from the rest of Kenya. The Somalis in the NEP aspired to unite with the newly independent Somali republic but the Kenyan government, who were trying to establish their territorial integrity, dismissed these aspirations.

In retaliation to the government's dismissal, criminal banditry ensued in the NEP, which the government soon responded to by restricting access to the public and designating the NEP a 'scheduled' area. In this 'scheduled' area, the pastoralists of the NEP were forced to move into villages that were 'protected' and do away with their pastoralist way of life as the Kenyan government considered it un-Kenyan and unproductive, disapproving of the pastoralist way of life. As a result, an urban underclass was born through destitute nomads, and long term consequences of economic and social bearing were rooted in the NEP, which was still considered a 'restricted area' until 1992. Consistent with Bradbury and Kleinman.,'s (2010:23 – 24) argument, the economic neglect and disruption to the pastoral economy in the NEP are still apparent in the region today, more so now, due to the large number of Somali refugees who have settled there in refugee camps.

While a majority of Somali refugees settled in the NEP, a large number of them also managed to find their way into the urban area of Nairobi, where some settled in the suburb of Eastleigh. According to Murunga (2005:151), Eastleigh is so well-known for its substantial Somali population, that people now refer to it as 'Mogadishu ndogo' - small Mogadishu - which refers to the capital of Somalia. The implications of having Somali refugees in the urban areas have been explored by Murunga (2005:151), who states that areas such as Eastleigh have become unsafe due to the presence of non-Kenyan and Kenyan Somalis, forming a mixed community. He asserts that such areas

with high refugee populations tend to have high crime rates, illegal activities and limited resources as most refugees are unemployed and need to sustain themselves in any way possible. Similarly, Atta-Asamoah (2015:14) contends that, the presence of Somali refugees in Nairobi and the NEP makes it easier for Islamist groups such as, Al-Shabaab to penetrate, recruit and carry out terrorist activities with and under the disguise of refugees.

Over the years Al-Shabaab's interest in Kenya has gone beyond their intentions to form an Islamic state in East Africa, as Kenya's decision to send troops into Somalia to end the conflict has given them more reason to carry out terrorist activities. Al-Shabaab's terrorist activities in Kenya have been attributed to the damages and injustices that they feel the Kenya Defence Force (KDF) are responsible for in Somalia. This has made Kenya a prime target for Al-Shabaab as they claim that they will not stop their attacks unless Kenya withdraws from Somalia. (Atta-Asamoah, 2015:14).

The conflict in Somalia has had considerable effects on human security for the citizens of Kenya, due to the 477,424 registered Somali refugees living in Kenya (UNHCR, 2014:1); the spill over effects of the conflict such as crime, the circulation of illegal arms and ethnic tensions between Somalis and Kenyan-Somalis; and the increasing interests of Al-Shabaab on extending its control into Kenya with the intention of creating an Islamic state in East Africa and repaying the injustices carried out on its people by the KDF. These human security challenges will be explored in greater detail in the next section.

3. THE HUMAN SECURITY CHALLENGES

Between 1992 and 2014, Kenyan citizens have been subjected to human insecurity as a result of the conflict in Somalia, in varying degrees. The presence of thousands of refugees and terrorist activities from Al-Shabaab has come with human security implications that tend to stem from economic, social and political factors. Different parts of Kenya have been affected in similar and different ways, with some more than others. The regions that have

been the most affected tend to be the NEP, a rural area, and Nairobi and Mombasa, which are urban areas, due to the fact that they are either in close proximity to Somalia or host a large number of Somali refugees.

With that in mind, the challenges that the NEP face are dynamically different from those that have been occurring in the urban areas of Nairobi and Mombasa. The Coastal province of Mombasa, which is well known for tourism, trade opportunities across the Indian Ocean and the tremendous role it has played in the growth of Kenya's economy, tends to encounter human security implications that revolve around the economic, social and political spheres. The coastal town of Lamu, in Mombasa, is only 80 kilometres away from the Somali border at the most northern part of the Kenyan coast making it easily accessible to Islamist terrorist groups from Somalia, who have made human security a challenge for the Kenyan citizens in Mombasa.

Scholars, such as, Bradbury and Kleinman., (2010:9-21-22) claim that Mombasa has grown to be the safe haven for Islamist terrorist attack perpetrators, who tend to be protected by the predominantly Muslim population in the region. With that, issues of insecurity, marginalisation and the radicalisation of Muslim youth has become a major concern for Kenyans in the province, particularly the Kenyan Muslim population. The Kenyan Muslim population have been left vulnerable to recruitment by Islamist terrorist groups and state-sponsored aggression due to terror suspicions that stem from the economic, social and political marginalisation they faced in the colonial and post-colonial era. This has resulted in many concerns, particularly, for the tourism sector and general security as a whole, as many people in the region are constantly living in fear. On the other hand, the capital city of Kenya, Nairobi, which alongside other urban areas hosts 56,000 registered Somali refugees and asylum seekers as recorded in 2013 (Urban Refugees.org, 2015), tends to also be vulnerable to human insecurity as a result of the conflict in Somalia. The human insecurity in Nairobi stems from economic concerns, general security as well as terrorism due to the large number of Somali refugees, which will be discussed in greater detail in the rest of this chapter.

The interventionist approach will therefore be used as criteria for assessment on human security in Mombasa and Nairobi, by looking at the different security concerns, actors and contexts of the urban areas and the role they play in human security. The assessment will also include the successes and failures of interventionist strategies adopted by the government, which will be explored in greater detail in the next chapter, with the intention of identifying whether the protection of Kenyan citizens from the spill over effects of the conflict in Somalia has had implications on human security.

Contrastingly, the assessment of human security in the NEP will be from a welfare perspective, as the conflict in Somalia has had human security implications that range from issues of poverty, poor health care and limited resources for sustainable living in the region. This falls in line with the basic needs approach to human security as human insecurity in the NEP, tends to stem from the scarcity of natural resources, underdevelopment, pressure for land and the access to basic needs, which Newman (2001) addresses in the basic needs approach. Newman (2001:243) states that human welfare is the best indicator of human security, as many people get a feeling of insecurity from the struggles of daily life, which is the case in the NEP. The basic needs approach will therefore be used in the next section of this study to identify and assess the implications of the conflict in Somalia on human security in the NEP, using the UNDP's 1994 Human Development Report's seven categories of human security that were explained in the previous chapter.

3.1. HUMAN SECURITY CHALLENGES IN THE NORTH EASTERN PROVINCE (NEP).

The NEP has a predominantly rural population and has been considered the most vulnerable province in Kenya, not only because of the fact that it borders Somalia, but also because of its semi-arid nature. The NEP is well-known for its patterns of erratic weather, drought, nomadic pastoralism and cattle herding which are the predominant means of livelihood for those living in the region. As a result of this, competition for resources in the NEP is nothing

new. Resource competition coupled with the formation of group identity by multi-party politics in Kenya and the conflict of clans from neighbouring Somalia, have made the situation worse in the NEP (Bradbury and Kleinman., 2010:9-21).

The NEP is home to ethnically Cushitic speaking, traditional pastoralists and nomads, who share a historical Islamic culture with Somalis in the East African region. As stated by Bradbury and Kleinman., (2010:9 - 21), the NEP is perceived by many Kenyans as an ungoverned territory, out of the control of the Kenyan government and under the guidance of alternative power centres, such as Somali clan leaders, who not only challenge the government but also create room for human insecurity. These alternative power structures have been accused by government officials, of making it difficult to govern the region, which has led to what seems like the neglect or marginalisation of the NEP. The implications of having power structures that do not cooperate or work under the government's guidelines, have resulted in the region's porous borders and underdevelopment.

The semi-arid nature of the region, the dependence on pastoralism, porous borders and the increased flow of Somali refugees has left the region in a vulnerable state, which has had severe implications on the access to basic human needs. The NEP shows high levels of disparity by most measures, which makes it one of the poorest regions in Kenya. 74-94 per cent of the people living in the NEP tend to be living below the absolute poverty line due to economic and social deprivation (Bradbury and Kleinman., 2010:32). The NEP therefore tends to face human security threats that fall under the 1994 UNDP Human Development Report's seven main categories of human security that Newman (2001) categorizes as the basic needs approach in his analysis of human security concepts. These categories cover human security criteria's that range from the environment, food, health, economy, personal, community and political security and will be used to identify the human security challenges in the NEP.

3.1.1. ECONOMIC SECURITY

According to Bradbury and Kleinman., (2010:29), the NEP has faced a dramatic deterioration of human security due to the conflict in Somalia, which has had economic consequences for the region. Due to urbanisation, increased settlement, an influx of refugee populations, unclear land tenure, migration and resource scarcity, human security has been hard to achieve and maintain in the region. This has had serious implications for the region, which in many cases have fuelled tension and conflict between the refugee population and the host community, such as the frequent competition for water and pasture turning violent in many cases.

The presence of the Dadaab refugee camp, which was originally set up with the intention of hosting about 90, 000 people, in 1991, has been identified as the root cause of the increasing human insecurity problems in the NEP, that already existed. The camps were set up with the intention of providing humanitarian support, shelter and a safe haven for those fleeing conflict. However, as refugee numbers have grown over the years, Dadaab has become the world's largest refugee camp today (Kumssa, 2014:146). By 6th January 2014, Dadaab was home to 391, 207 registered Somali refugees, refugees from other African countries, such as South Sudan and DRC, as well as unregistered Somali refugees (UNHCR, 2015). These numbers go way beyond the hosting capacity of the NEP, adding pressure on the natural resources that are sparingly available, and creating human security implications in the region.

As stated by Burns (2010:151), population growth teamed with frequent droughts has not only increased the competition for scarce resources in the NEP, but has also resulted in conflict and violence between the host community and the refugees. With the growth of the population in the NEP, resources such as water and land have become insufficient for humans and animals, making it difficult for the pastoralist community to sustain their livelihoods and earn a living. Pastoralism caters for the basic income of the majority of the Kenyans and Somali refugees living in the NEP creating a

source of conflict that stems from issues that revolve around the pastoralist nature of the region. Subsequently, the creation of alternative and sustainable livelihoods has also become incapacitated due to limited resources and the increased number of inhabitants in the region (Burns, 2005:151-152), creating a system that does not support self-reliance or economic emancipation for Kenyans living in the NEP.

According to an article published in the Daily Nation in 2010, the NEP was named as the poorest province in Kenya where "... the Somali [are] worse off, deprived of education, health and with poor standards of living compared to other tribes in Kenya" (Nyambega, 2010). According to the Kenya National Bureau of Statistics (KNBS) and ICF Macro (2010), 75 per cent of the NEP's population occupied the lowest wealth Quartile of the Country. Economic security is therefore hard to achieve or maintain in the NEP due to the challenges of limited resources and the pressures of hosting Somali refugees, which has negatively impacted the pastoralist nature of the region causing human insecurity.

3.1.2. FOOD SECURITY

Additionally, due to the large number of refugees fleeing Somalia and settling in the NEP, food insecurity has also become a significant concern. The arid and semi-arid nature of the land and the added pressure of population growth in the region have resulted in plenty of human security challenges. These human security challenges have risen from the increase in population in the region, as there are over 2 million people who reside in this area from figures recorded in 2009. These figures have steadily grown over the years as the refugee flows have increased, these figures also include livestock, which make up 70 per cent of the national livestock herd in Kenya (KNBS, 2009:2). The implications of high population growth, the semi-arid and arid nature of the land and poverty have resulted in malnutrition, starvation as well as food insecurity, which have become characteristic of the NEP, making food a commodity many can neither access nor afford.

As of 2014, Kenyan children below the age of five admitted in hospital due to malnutrition in the NEP, has increased by a dramatic 78 per cent since 2013. The region has also been ranked at 19.9 out of 100 point scale in the global hunger index-value, with hunger levels that have been labelled as serious. 31 per cent of the total Kenyan population in the NEP, has also been ranked as undernourished, with children the most affected as 20 per cent of the Kenyan children in the NEP are under weight for their age. Similarly, the infant mortality rate per 1000 live births has also been recorded at 79 per cent in the region while excluding the figures of refugees residing in the NEP (WFP, 2014). The serious hunger levels in the NEP has also resulted in some cases of violent conflict between the refugees and the host communities, who are competing for limited resources (Kumssa *et al.*, 2014:149). As a result of this, food security is a serious problem in the NEP that has had serious implications on human security in the region.

3.1.3. HEALTH SECURITY

As a result of its historical marginalisation as well as the spill over effects of the conflict in Somalia, the NEP has faced many challenges especially in the health care sector, as the access to basic social services is difficult. According to Pathfinder (2010:1-2), health security in the NEP has deteriorated due to several factors that stem from limited resources and competition for social amenities. The lack of infrastructure has also contributed to this, similar to distance, lack of transport, poor quality of services, lack of equipment and supplies, as well as poor physical conditions of facilities and the shortages of trained professionals.

The ratio of doctors to patients in the NEP by 2014 was at 1.0 to 100,000, with the total number of doctors in the NEP being recorded as 41 in the same year. This has resulted from high levels of insecurity in the region mainly due to the conflict in Somalia, which has made it difficult for doctors, nurses and pharmacists to remain in the region or consider working in the region, as they cannot be guaranteed safety. Similarly, the region's inter-communal conflicts

between the host community and the refugees, and the presence of Islamist groups crossing over the border from Somalia have had serious implications for the health security of the region as the access to healthcare facilities and professionals is almost impossible if doctors and health care professionals cannot reside peacefully in the region (IRIN Africa, 2014). The limited number of doctors and health facilities cannot cater to the health needs of the region creating serious implications for human security.

3.1.4. ENVIRONMENTAL SECURITY

Furthermore, the local community has also faced some human security challenges that have had effects on the environment as a result of the number of refugees who are currently residing in the NEP. The local community in the NEP have argued that the refugees have been and continue to destroy their environment. The local community argue that the refugees are damaging the vegetation and cutting down trees for firewood, which they use for cooking. The refugees have also been cutting down these trees for other purposes such as building their shelters, which is continually depleting natural resources and destroying the environment (Kumssa *et al.*, 2014:149-150). Over time the excessive use of these natural resources will have devastating effects on the already semi-arid and arid environment, which will not ensure environmental or human security for future generations in the NEP.

3.1.5. PERSONAL SECURITY

Correspondingly, the presence of refugees and refugee camps in the NEP, the close proximity to Somalia and the poor policing of the Kenya-Somali border has resulted in the trickling of the conflict in Somalia into the NEP. Kenya's geographical position has made it vulnerable to human insecurity, as illegal activities, violence and ethnic clans have managed to cross over the border with these refugees. Islamist groups such as Al-Shabaab have been accused of taking advantage of these situations and recruiting new members from both the refugee camps and the NEP as a whole, so as to expand their

range of control. By infiltrating the NEP and creating a following in the region, the Al-Shabaab and other clan-based factions have become a source of personal insecurity as they tend to attack these areas first when they are trying to enter into Kenya (Burns, 2005:8-11). Violent conflict and high levels of crime have therefore become the face of the NEP, as no one is safe in the region.

3.1.6. COMMUNITY SECURITY

Moreover, the community as a whole has also faced some levels of insecurity due to the stigma of the Somali Islamist group, Al-Shabaab, which has created a negative image of the Somali people, both Kenyan and non-Kenyan, in Kenya. Similarly, the failed post-independence attempts by the National Frontier District (NFD), now known as the NEP, to unite with the newly independent Somali Republic in 1963, has created some negative sentiment towards the Kenyan-Somalis in the NEP. This is due to the fact that it resulted in criminal banditry, which created an image of Somalis as trouble makers (Bradbury and Kleinman., 2010:23).

During the colonial partition, territorial boundaries were created by colonialists that separated the Somalis in the NFD from the Somalis in the horn of Africa, leaving them with the sentiment of being left behind. As a result, the Somalis in the NFD aspired to be united with the newly independent Somali Republic, where they felt they belonged. However, the Kenyan government denied and dismissed these aspirations and instead confined the NFD and restricted access to the rest of Kenya, in an attempt to 'protect' the area by declaring a state of emergency. The state of emergency was declared as a result of isolated events that had happened in the region, where state facilities were targeted and attacked. The NFD remained a 'restricted area' until 1992 (Bradbury and Kleinman., 2010:23).

The Kenyan Somalis in the NFD retaliated against this through criminal banditry, which was dubbed the shifta war. The shifta war, between 1963 and

1967, stemmed from the frustrations of the Kenyan-Somalis in the 'restricted' NFD, as they felt that the attempts to 'protect' the area by the government was a way of marginalising and ignoring them. Due to their living conditions and lack of integration with the rest of Kenya, they decided to hold demonstrations, which quickly escalated into physical confrontation and sabotage attempts towards the state. These activities were carried out by a group of organised bandits, who had the full support of the Somali community in 1963. The shifta war not only affected the Somalis in the NFD but also seem to have lasting results in Kenya today, as it played a significant role in creating a negative stereotype of the Kenyan-Somali population. This has created an identity for Somalis, both Kenyan and non-Kenyan, as a criminalised community. According to Murunga (2005:147-148), Somalis were not only thought of as trouble makers by the government and the non-Somali Kenyan population, but were also socially and politically excluded, ignored and targeted by both the police and the military in several confrontational cases.

By the 1990s, the rest of Kenya still remained detached from the NEP, even after the shifta war had ended, leaving it as a remote and distant place, marginal from the rest of Kenya. This made the NEP more accessible to gangs, illicit trade and criminal networks which have been made worse by the fact that the Kenya-Somali borders are porous and inadequately policed (Murunga, 2005:148). As a community, the Kenyan-Somalis in the NEP have been denied a feeling of safety and freedom due to their ethnic difference, which the rest of the Kenyan citizens seem to have. The creation of stereotypes, marginalisation, neglect of the region and the confrontations by security forces have not permitted Kenyan-Somalis human security as a community, as they live in constant fear of gangs and security forces who have made being a Somali in Kenya difficult, due to the inadequate policing of the NEP, violent confrontation by the police and discrimination based on ethnic differences.

3.1.7. POLITICAL SECURITY

Lastly, the significant driver of human insecurity in the NEP, especially with regards to the spill over effects of the conflict in Somalia, has been government weakness. The government of Kenya has been criticized for the NEP's neglect, which has allowed it to remain as an ungoverned space, particularly with the added pressures of an influx of Somali refugees. Kenya's political decision to set up refugee camps in an area that was already underdeveloped caused human security implications in the region that included poor health standards, poor education, poverty and insecurity which are yet to be addressed. By the government of Kenya ignoring the refugee problem and the NEP, the region has remained underdeveloped and privy to violent conflict due to the competition for survival and limited resources. This reflects badly on Kenya politically, as it portrays a government that is unable to sustain its own people through development and reform, which has subsequently increased insecurity. In this instance, political factors have therefore been the most important drivers of human insecurity alongside the impact of the conflict in Somalia (Bradbury and Kleinman., 2010:28).

The political marginalization of the NEP has had significant implications for human security as underdevelopment has increased due to a lack of funding or development in the region. With a central government that is concentrated in Nairobi, 100 districts and 8 provinces previous governments have economically marginalized the region. As a result, opportunities and government services have been a struggle to achieve as economic and political power belonged to an elite that led the country. The ethnic differences and the historical tensions between the NEP and the rest of Kenya created implications that made it even more difficult for the NEP to thrive or receive government opportunities and services (Gacanga, 2015).

According to a speech made by the former President of Kenya, Mwai Kibaki in 2008, the neglect of the NEP by the government would be addressed once he took over the leadership of the country, as he:

“Pledged to commit more resources for the development of the arid and semi-arid areas [such as the NEP] of [the] country which have in the past suffered neglect due to inadequate resource provisions and poor infrastructure [through] a new ministry for the development of Northern Kenya and other arid lands in order to focus on and address the unique challenges facing these areas” (Abdi, 2012:13).

Following this speech the Kenyan government embarked on a devolved government so as to deal with issues of marginalization. However, it was argued a year after devolution that development and revenue allocation were still not prioritized in the NEP under the Kibaki government. The NEP however, had a glimmer of hope in the 2013/2014 financial year where issues of health, water scarcity, food shortage and insecurity could potentially be tackled with the central government’s allocation of 6.5 billion to the region. Development initiatives are yet to be realized, however, this is a step in the right direction (Gacanga, 2015).

3.2. HUMAN SECURITY CHALLENGES IN THE URBAN AREAS OF NAIROBI AND MOMBASA.

In the urban areas of Mombasa and Nairobi, the human security challenges tend to be dynamically different from those in the rural areas. The human security challenges in the urban areas have been perceived to be based around terrorism, the perceived marginalisation of the Kenyan Muslim community and the disregard for human rights towards some Kenyan citizens. These human security challenges have been attributed to the conflict in Somalia and Kenya’s involvement in the Somali conflict, primarily its decision to send troops into Somalia in a bid to end the conflict. Kenya also deployed troops into Somalia with the intention of preventing the Islamist group, Al-Shabaab from carrying out more terrorist activities in Kenya. This has affected human security for all Kenyan citizens in significant ways, as Al-Shabaab’s interest in creating an Islamic state in East Africa and levelling the score for the injustices they feel the Kenya Defence Force (KDF) has carried out in

Somalia in their quest to end the conflict, has created more motives for Al-Shabaab to retaliate in Kenya through terrorist attacks.

With this in mind, Kenya's intervention in the Somali conflict has created greater insecurity for all Kenyans, as Al-Shabaab has vowed to retaliate with terror attacks in Kenya, for as long as Kenyan troops remain in Somalia. The human security challenges that have resulted from the conflict in Somalia therefore take on an interventionist approach to human security, as Kenya's choice to intervene in Somalia has created situations of gross human suffering. The state's focus on maintaining sovereignty has had implications on the security of the individual, making the state a threat to human security. According to Newman (2001:244), the interventionist approach to human security is built on the fundamental idea that the protection of the individual should take precedence, if in contest with state sovereignty so as to prevent human suffering. This is due to the fact that the protection of the state does not always facilitate the protection of its citizens, as state incapacity and bad governance hinder the protection of its people putting their welfare and rights under jeopardy.

Kenya's response to the conflict in Somalia, terrorism and the human security implications that have resulted from the conflict in Somalia seems to have placed the state as the primary referent object of security. This is due to the fact that, while state sovereignty is being pursued by the government of Kenya the protection of Kenyan citizens does not seem to be adequately addressed, in both the rural or urban areas. According to Newman (2001:244) the interventionist approach presents a measure for judging the successes or failures of national and international security politics, which will be used to assess Kenya's intervention in the conflict in Somalia and its impact on human security for Kenyan civilians, with regards to terrorism and the refugee problem caused by the conflict in Somalia. This will be discussed in greater detail in the next section of this chapter.

3.2.1. TERRORISM

The UN Security Council resolution 1566 (2004) defines terrorism as:

“Criminal acts, including against civilians, committed with the intent to cause death or serious bodily injury, or taking of hostages, with the purpose to provoke a state of terror in the general public or in a group of persons or particular persons, intimidate a population or compel a government or an international organisation to do or abstain from doing any act.”

The biggest threat to global and in particular, Kenya’s security has most recently been terrorism. With terror attacks occurring between 1998 and 2013, Kenya has been a prime target for terrorist groups in particular, Al-Shabaab. The first terror attack that happened in Kenya was in 1998, at the American embassy, by Al-Qaeda, killing over 200 Kenyan civilians, partly due to the American invasion in Somalia and the presence of US troops in Saudi Arabia (CNN, 2013). According to Kagwanja (2006:73), the attack took place in Kenya as a result of its close proximity to Somalia and the porous Kenya-Somali border, which made access to the country easy. In 2000 another terrorist attack also took place at the Israeli owned Paradise hotel in Mombasa, by another Islamist militant group, targeting Israeli tourists (Kagwanja, 2006:73). Kenya’s sovereignty has been under threat due to the increasing presence of militant Islamists such as Al-Shabaab, who have established a presence on the other side of the Kenya-Somali border. These Islamist groups have been trickling over into Kenya since the 1990s, as a result of the conflict in Somalia (Bradbury and Kleinman., 2010:27).

Al-Shabaab is reported to have had the most significant impact in Kenya, due to the large Somali refugee population, which has allowed them to infiltrate the state and target the greater population, Kenyan Muslims, Somali refugees and Kenyan-Somalis in an attempt to radicalise, recruit and spread extremism from its bases in Somalia. The majority of those being targeted for recruitment

are in the coastal province of Mombasa and the NEP, which have a huge Kenyan Muslim community and a large number of Somali refugees, respectively (Bradbury and Kleinman., 2010:29 – 30).

Bradbury and Kleinman., (2010:27) state that, the Government of Kenya decided to send troops into Somalia in October 2011, with the intention of protecting the state from the spill over effects of the conflict in Somalia, which included Al-Shabaab, and fighting Al-Shabaab in its own battlefield in a bid to ultimately end the conflict and terror attacks in Kenya. This followed the kidnapping of Kenyan aid workers and nuns in 2009, by Somali gunmen along the Kenya-Somali border and terrorist attacks that were being carried out by Al-Shabaab. The Kenyan government therefore made a decision to strengthen military intervention in Somali, as the security of Kenyan civilians was under great risk from these terror attacks.

This military intervention, which will be explored further in the next chapter, was dubbed operation ‘Linda Nchi’ which loosely means operation ‘protect the country’ (RULAC, 2012). Kenyan military presence in Somalia was aimed at yielding positive outcomes that would eventually aid in the ending of the conflict, as well as extinguishing Al-Shabaab’s control of the country and its strong presence in the East African region. What was not expected was an increase in terror attacks in Kenya by Al-Shabaab, who insisted that unless Kenyan troops were withdrawn from Somalia, the terror attacks in Kenya would not stop. According to a statement made by an Al-Shabaab spokesperson, the Al-Shabaab declared that, “Kenyan cities will run red with blood. [As] no amount of precaution or safety measures will be able to guarantee [Kenya’s] safety, thwart another attack or prevent another bloodbath” (Abdullahi, 2015).

True to their word, Al-Shabaab has been responsible for over 30 incidents of insecurity, which have resulted in the loss of hundreds of lives, between 2011 and 2014. In 2014 alone, Al-Shabaab was responsible for the deaths of about 290 people, with a total of an estimated 690 lives, between 2008 and 2014. Since 2011, 211 cases have been reported and blamed directly on Al-

Shabaab. As of 2008 there has been an average of 87 deaths per year and an estimate of 3 deaths per incident. In 2010, Al-Shabaab was responsible for 30 deaths, which has increased over the years, with 90 deaths in 2012 and 290 deaths in 2014. Terrorist activities, as asserted by Atta-Asamoah (2015:6-7) have been responsible for the loss of human lives and human insecurity in Kenya, in economic, social and political spheres.

General security in Kenya has become a huge human security concern as Al-Shabaab's activities are sporadic and unknown, leaving the Kenyan citizens in a state of constant fear, denying them the freedom from fear, the core ideals that human security is built upon. There have also been huge consequences on the economy, political and social well-being of Kenya, as it is no longer considered a safe country by the International Community for conducting business or tourism. Kenya's economy relies heavily on tourism and foreign investments, which has taken a huge hit due to the security concerns revolved around Al-Shabaab, which has also affected Kenya's political relationship with foreign states, who feel Kenya's intervention strategies are too harsh and in violation of human rights (Atta-Asamoah 2015:1).

Atta-Asamoah (2015:1) argues that Kenya's decision to pursue military intervention in operation 'Linda Nchi' has left the Kenyan population vulnerable to human insecurity. As Kenya's decision to prioritise state protection through military intervention has failed to bring safety to its people, leaving them in constant fear and open to sporadic terror attacks in the guise of revenge. Similarly, the Kenyan Muslim community has also been left open and vulnerable to Al-Shabaab's penetration in its efforts towards recruitment and radicalisation. It can therefore be argued that Kenya's interventionist strategy has done more harm than the good it was intended for. While Kenya's fight for security serves a good purpose, it has created vulnerabilities and insecurity for its citizens as the state is incapacitated with military defence, leaving the welfare of its people inadequately attended and under threat.

3.2.2. THE PERCEIVED MARGINALISATION OF THE MUSLIM COMMUNITY

The growth of terrorism and Al-Shabaab's strong presence in Kenya and the greater East African region has had human security implications for the Kenyan Muslim minority, who have been accused of either being involved in terror activities or stereotyped against the idea that all Muslims are radicals or Al-Shabaab sympathisers.

As addressed earlier, Al-Shabaab is greatly responsible for human insecurity in Kenya, which affects all Kenyan citizens regardless of race, religion and ethnicity. However, some Scholars such as Bradbury and Kleinman (2010:30) contend that the government of Kenya has played a significant role in the human insecurity of the Kenyan Muslim minority due to its aggressive response to terrorism and the conflict in Somalia. Both the Kenyan Muslim populations in the NEP and the coastal region of Mombasa tend to share a feeling of marginalisation that stems from historical issues between themselves and the Kenyan state. These issues have been deeply rooted in colonialism, as well as the conflict in Somalia, which has resulted in Kenyan Muslims being excluded politically and socially.

The coastal Swahili who are predominantly Muslim trace their marginalisation to Kenya's disposition in the post-colonial and colonial era. The majority of their grievances can be traced back to pressures to relinquish their control of land for the purposes of tourism, military bases and settlement schemes. During colonisation the coastal region of Mombasa fell under the British colonial authorities and was administered as a protectorate. However, in the 1970s after Kenya got its independence the government administered resettlement schemes to the Kikuyu's, a dominant tribe in Kenya, by giving them title deeds in agricultural schemes in the region. The Swahilis saw this through the narrative of marginalisation, as they felt as though the government was trying to diminish their economic power deliberately by altering the region's ethnic composition, as 50 per cent of the coastal population currently are Kikuyu. The loss of wealth and political status in

post-independent Kenya, has contributed to a deeper sense of loss for the coastal Swahilis who still have grievances over land tenure (Bradbury, 2010:24).

Additionally, from a political standpoint, Kenyan Muslims from the coastal region feel marginalised as the Kenyan government refused to register the Islamic Party of Kenya (IPK) in December 1992, which had been set up to articulate the grievances of Kenyan Muslim minorities. The government of Kenya was not in support of the IPK as they felt that it was set up to radicalise Kenyan youth by its founder, a fiery Muslim cleric, Sheikh Khalid Balala. As a result, the IPK youth took to violence, killing three police officers, raided a police station and displaced about a hundred non-Muslims in Mombasa (Bradbury, 2010:77). The government's refusal to register an Islamic political party, under the fear of radicalisation, was viewed as an intentional bid by the Kenyan government to prevent Kenyan Muslims from being actively involved in the political decisions of the country. This created a sentiment of marginalisation among the Kenyan Muslims, who felt that they could not participate in Kenyan politics due to their religious beliefs and ethnic differences. The conflict in Somalia further influenced this perception of marginalisation in the coastal region of Mombasa due to its close proximity to Somalia through Lamu district, as Mombasa acts as a cross-border asset for Islamist militants who have not only been radicalising youth, but have also been robbing, smuggling and pushing light weapons from Somalia into the mainland (Bradbury and Kleinman., 2010:27 - 30).

Following these incidents, the government of Kenya is portrayed as incapable of adequately dealing with these grievances of marginalisation, as the majority of the Kenyan Muslims in Mombasa feel they are not willing to include Muslims at a political level. Additionally, Al-Shabaab has found opportunities to take advantage of the situation setting up base in the region. Due to the vulnerability of this particular community, the recruiting and radicalising of Muslim youths from all over Kenya has not been a difficult task. The people of Mombasa feel that the government has failed to include them and protect them. These decisions have therefore fuelled discrimination by the

government, based on the belief that Kenyan Muslims are involved in Al-Shabaab activities and sympathise with the group due to its significant presence in Mombasa, which has led to exclusion from government employment, poor education and difficulty in obtaining identity documents for the Kenyan Muslim community (Bradbury and Kleinman., 2010:27 - 30).

With this in mind, the state does seem to have failed in its capacity to protect all its citizens especially from human insecurity. This is attributed to the fact that Kenyan Muslims live in a constant state of fear due to the presence of Al-Shabaab in the region and the lack of political representation by a political party that understands their grievances and works towards their protection. Similarly, the exclusion of Kenyan Muslim youth from the acquisition of identity documents has managed to create inequalities between Kenyan Muslims and other Kenyans, as it limits their political, economic and social participation, as undocumented Kenyan citizens cannot vote, register in schools or gain employment. This fuels deprivation on different levels, which could eventually have human security implications for the rest of Kenya, as it could drive them towards Al-Shabaab recruitment and radicalisation making it easier for the Islamists to carry out their attacks (Bradbury and Kleinman., 2010:27 - 30).

Although the government has been cautious in registering the IPK due to fears of radicalisation, a positive step in ensuring that Islamists are not empowered, the exclusion of Kenyan Muslims politically, socially and economically, reflects poor governance as the state seems to have put its own sovereign needs before that of the Kenyan Muslims. While it is difficult to identify those parties involved in terrorism or radical activities, the creation of divisions and deprivation based on perceptions of guilt, will only yield human insecurity for the Kenyan Muslim youth and non-Muslim Kenyans as it creates a space for alternative options for survival, through crime and illegal activities, including terrorism. This therefore, falls in line with the interventionist approach to human security, which asserts that the state should be responsible for the security of all its people, even if it is in contest with state security (Newman, 2001:244). Due to the fact that Kenyan Muslims do not

seem to be included or held to the same human security standards as the rest of Kenya, the government appears to have failed in achieving its human security interests, as expressed in the Constitution of Kenya, 2010.

3.2.3. THE EROSION OF CITIZEN RIGHTS

Additionally, in response to the terrorist attacks that resulted from Kenya's involvement in the conflict in Somalia, Kenya set up counter-terrorism strategies that were to deal with the human security implications of terrorism. However, both international and national human rights groups and Kenyan Muslim lobbies saw some of these strategies, as a breach of the Bill of Rights. The Kenyan government took to dealing with terrorism through institutions such as the Anti-Money-Laundering Task Force, which was set up to deal with suspected financiers of terrorist groups, and deregistering NGOs that were linked to terrorist groups (Kagwanja, 2006). However, not all the counter-terrorism strategies were considered to be beneficial as institutions such as the Anti-Terrorism Police Unit (ATPU), were seen as sources of human insecurity by the International Community, human rights activists and some Kenyan citizens as they did not seem to follow the protocols of basic human rights.

The Kenya's Anti-Terrorism Police Unit (ATPU) in particular, managed to tarnish these counter-terrorism strategies due to its poor records of respecting basic human rights dating back to 2007. The ATPU has been accused of eroding the citizen rights of the Kenyan Muslim community, whom they link to terrorism, and those suspected of terrorism (Horowitz, 2013). The abuses that the ATPU are responsible for include the:

- “Extrajudicial execution of Kassim Omollo and Salim Mohammed Nero in June 2013;
- Unlawful use of lethal force against Omar Faraj in October 2012. (Faraj's wife, who the ATPU mistakenly thought was fatally injured in the operation, overheard the ATPU say they would leave her to die.);
- Beating of Swaleh Abdullah Said, a man captured in Mombasa on suspicion of terrorist-related activities, including the Westgate

Shopping Mall attack;

- A November 13-14, 2012, ATPU operation in Mombasa during which the unit captured several terrorist suspects and beat them prior to bringing them to various police stations;
- Enforced disappearance of Badru Mramba on November 14, 2012;
- Arbitrary detention, physical and psychological abuse, and rendition to Uganda of suspects in the July 11, 2010, World Cup bombing in Kampala, Uganda. (Two separate Kenyan court rulings deemed those renditions unconstitutional); and
- The rendition of numerous individuals from Kenya to Somalia in 2007, who were then rendered to Ethiopia. (A Kenyan court found the detentions and renditions unlawful and amounted to torture) “ (Horowitz, 2013).

These accusations not only reflect poorly on the Kenyan government and the decisions that it has made to empower the ATPU despite human rights accusations, but has also had severe implications on human security, especially for the Kenyan Muslim community who have been branded terrorists and targeted by the ATPU. These accusations point to poor governance and the failure of government to ensure human security for all its citizens. Kenyan Muslims, have been subjected to state-sponsored aggression, human rights violations and discrimination in the hands of government institutions, creating tension, which could eventually lead to violent conflict in the future.

4. CONCLUSION

The ongoing conflict in Somalia has had a profound effect on the East African region. Many of the security issues that have resulted from this conflict have revolved around increased refugee flows, crime, illegal activities, arms trade and the most devastating, terrorism in East Africa as Islamist groups such as Al-Shabaab have managed to thrive in the ungoverned spaces of Somalia. Many of the Somali citizens that have been displaced by the conflict have

sought asylum in several East African countries, with the majority of them crossing over the border into Kenya. Kenya's initial intention was to provide a temporary safe haven for these Somali refugees in camps set up in the NEP.

Twenty years down the line Somali refugees are still living in the refugee camps, unable to go back to Somalia, while the number of refugees continues to increase. The conflict in Somalia has also continued to slowly spill over into Kenya causing human security challenges that has affected Kenya immensely, with the hardest hit areas being the rural area of the NEP and the urban areas of Mombasa and Nairobi. Using the basic needs approach of human security, outlined by Newman (2001), the UNDP's seven categories of human security point towards human insecurity in the rural area of the NEP, ranging from economic insecurity to community insecurity. The UNDP's seven categories of human security highlighted human security implications that stemmed from conditions such as, the underdevelopment of the NEP, population increase from the refugee camps set up in the region, government failure in integrating the host community with the Somali refugees and the neglect of the region economically, socially and politically.

The implications of these conditions played a tremendous role in human insecurity, as the Kenyan population in the NEP have suffered greatly at the hands of leadership. The setting up of refugee camps by the government increased many welfare problems in the region, which was already underdeveloped due to its semi-arid nature, historical marginalization and the lack of support for pastoralism by the Kenyan government. As a result, high poverty levels and the inability to provide themselves with a sustainable livelihood have become the main human security challenges for the Kenyan citizens in the NEP. Limited natural resources, over population, general insecurity, poor health care and environmental degradation has also been a huge human security challenge in the region. Not only is the NEP ranked the poorest province in Kenya, it also has a limited number of health care professionals and personnel, creating a system that does not encourage development.

Similarly, due to the political isolation, criminalization of the Kenya-Somalis since the shifta wars, confrontations by security forces and the financial and developmental neglect of the NEP, human insecurity has become inevitable. Poor political decisions and the disregard of the refugee problem point towards government failure in protecting its people. While the Kenyans in the NEP face high levels of insecurity due to its proximity to Somalia, the most drastic human security implications have come from the limited access to basic needs, to which every Kenyan is entitled.

On the other hand, the urban areas of Mombasa and Nairobi have highlighted how government intervention and the prioritization of state security over the individual can have a significant impact on human insecurity. The urban areas highlight the fact that the pursuit of state sovereignty does not always guarantee human security. The decisions and aggressive strategies that the government of Kenya has undertaken in response to the conflict in Somalia and terrorism has had negative effects on the security of Kenya as a whole and the Kenyan Muslim community in particular. The government's failure to adequately deal with sentiments of marginalization by Kenyan Muslims, terrorism and the disregard for human rights towards Kenyan citizens suspected of terrorism by Kenyan security forces has led to recurrent problems of deprivation, inequality and human rights violations, which have created human insecurity. These human insecurity problems include: the loss of lives from terror attacks, the vulnerability of Kenyan Muslims who do not feel safe from state-sponsored aggression by the ATPU and the Kenya police, the constant fear of terrorism and the political and social isolation of Muslim Youth pushing them closer to Islamists who are recruiting them and spreading radicalism.

The government's choice of military intervention in its fight against terrorism and the conflict in Somalia reflects a failure of national security politics in its pursuit to promote human security. As highlighted in the interventionist approach of human security, the prioritization of the security of the state rather than that of the individual will have security implications within the state, as the state becomes the source of insecurity. In the case of Kenya, the pursuit

of state security over human security has not only hindered human security but has also become a source of insecurity for the people of Kenya.

CHAPTER 4: KENYA'S CONCEPTUALISATION AND RESPONSE TO THE HUMAN SECURITY CHALLENGES THAT HAVE RESULTED FROM THE CONFLICT IN SOMALIA

1. INTRODUCTION

Kenya's response and recognition of the security threats emanating from the conflict in Somalia and particularly the attacks by the Islamist group Al-Shabaab, was initially slow, as the conflict was believed to be temporary. However, as external stresses increased and developed from the conflict in Somalia and with it, the growth and recruitment of the Islamist group, Al-Shabaab, peace and stability within Kenya became a huge concern (Lind *et al.*, 2015:4 -7). This has resulted in Kenya responding and conceptualising these threats in various ways, dependent on different contexts and security concerns over the years.

Kenya's main human security concerns revolve largely around the refugee problem and terrorism. Therefore, in response to terrorist threats, the government of Kenya has adopted various counter-terrorism initiatives to deal with the perceived threats from Al-Shabaab, such as passing new security laws, controlling and containing refugee populations, investigations, police swoops and giving more control to the Anti- Terrorism Police Unit (ATPU) (Lind *et al.*, 2015:7). Additionally, as mentioned in chapter one, there is very little literature on the alleviation of human insecurity in the NEP by the government of Kenya, which may reflect that Kenya has chosen to do very little if anything at all about the issues of poverty in the NEP where the majority of Somali refugees have been set up in designated refugee camps. The majority of the literature on the NEP and the Kenyan response to the conflict in Somalia explores a negative disposition from the outside looking in. As a result, this chapter tends to take a one-sided approach due to the lack of government documentation supporting its response to the conflict in Somalia and outlining the successes of its involvement in the conflict in Somalia and response to the refugee crisis and terrorism, hindering objectivity of this chapter and the study as a whole.

As discussed in the previous chapter, the NEP seems to be a forgotten part of Kenya due to historical and political tensions, ethnic differences and limited resources that have contributed to its underdevelopment. Similarly, the refugee camps have also been left under the care of the UNHCR, a situation which has also contributed to the minimal or lack of government involvement in the region (Veridrame, 1999:57). Human security in the NEP has also been identified as lacking in all the seven core elements of human security outlined in Newman's (2001) basic needs approach. It is therefore necessary to explore the government's conceptualisation and response to the refugee problem in the NEP that has resulted from the conflict in Somalia, from the angle of the basic needs approach in order to assess whether the response to Somali refugees has contributed to or addressed human insecurity in the region.

According to Mogire (2009:16-17), Kenya's response to the human security challenges in the NEP, as a result of the conflict in Somalia, has been through restriction and containment. The government set up refugee camps in the region and delegated responsibility to the UNHCR relinquishing itself of the responsibility for the Somali refugees. The refugee camps were set up for temporary use and relied on humanitarian assistance for their sustainability. Over the recent years it has become apparent that these refugees may be in Kenya for a longer period than was initially expected. In light of this, the Kenyan government has chosen not to pursue a policy approach that would cater for long-term development and integration of the host community and the refugees. They have instead issued a directive for all urban refugees to report to the Dadaab refugee camp and away from the urban areas, due to the fact that they are now perceived as a security threat (Kumssa *et al.*, 2104:146).

The government's choice of containing these refugees in the Dadaab refugee camp did not take into consideration the capacity of the camp, which stands at 90,000 people. As a result refugees have been forced to set up temporary homes around the camp, as the Dadaab refugee camp is over capacity. The

implications of setting up these refugee camps in the NEP has generated added pressure on the already limited resources in the region, creating tension between the host community and the refugees, stemming from the competition for basic needs (Kumssa *et al.*, 2014:146). This falls in line with the basic needs approach to human security as the setting up of these camps and trying to accommodate all refugees in and around the camps has contributed to the underdevelopment and poverty in the region. Similarly, by delegating control to the UNHCR, it has been argued by some scholars such as, Kumssa *et al.*, (2014:146), that the Kenyan government has chosen to ignore and isolate the NEP from the rest of Kenya, which has increased human insecurity in the region.

On the other hand, Kenya's response to human security threats in the urban areas, as expressed by Lind *et al.*, (2015:4), tend to take on another approach, whereby outsiders, particularly Somalis and to a greater extent the Kenyan Muslim community are viewed as a threat, due to the conflict in Somalia and historical factors. In line with the interventionist approach to human security, the government's response to the conflict in Somalia and the intervention tactics employed have managed to threaten and separate an entire population, as well as play directly into the violent insurgency and tactical approach of Al-Shabaab which may have made the problem worse. Rather than strengthening stability and security, these interventionist tactics seem to be generating more violence, particularly the state's response to terrorism (Lind *et al.*, 2015:4).

The state's response to the human security implications, resulting from the conflict in Somalia has differed greatly over time, depending on the contexts, the time period and the security concerns and interests of the state. This chapter will focus on the conceptualisation and responses to these human security challenges between the 1990's and 2014. The chapter is structured around a timeline that outlines the perceived threats of that particular time, the government's response to these perceived threats and the consequences of these responses.

2. 1991 - 2000: ADDRESSING THE REFUGEE PROBLEM

The 1990's were primarily built on the temporary assistance of refugees who were seeking asylum. Kenya's response to refugees, prior to the 1990's, was initially laissez-faire; however, as refugees began to cross the border in large numbers following the conflict in Somalia, the burden of hosting refugees began to shift Kenya's approach towards refugee management (Refugee Consortium of Kenya, 2008). Refugees before the 1990's tended to have several privileges, which no longer apply to refugees today. These refugees had rights that ranged from their ability to work, to being able to live wherever they pleased, as well as the right to education, access to social services as well as having business licences. Refugees at this particular time were perceived as an asset through investment and skilled work, which contributed positively to economic growth (Veney, 2007:63).

With the intention of addressing the influx of Somali refugees in the 1990s and the acquisition of external funding to support these large numbers of refugees, from the UN, International Community and the UNHCR, the option of setting up refugee camps, began to be a solution that the government of Kenya looked towards. The camps were set up in Dadaab, located in the NEP and Mombasa province, located in the coastal region of Kenya (which was later shut down). These camps were set up for refugees as a whole but the majority of the refugees came from Somalia. These camps were under the care of the UNHCR, which had the control of determining refugee status on their own. They were in charge of "protection letters" that had identification purposes and also determined where the refugees would stay, which was either the refugee camps or the urban areas in exceptional cases (Veridrame, 1999:57 - 58).

However, it was not all smooth sailing as the government and the UNHCR had a strained relationship that led to the government not recognising these "protection letters" and the UNHCR's rights in determining refugee status on Kenyan soil. Tensions arose because the government perceived that these refugees were only to stay temporarily and under the condition that the

UNHCR assisted them in the designated camps, as Kenya was only a transit country. Therefore there was no formal acknowledgment of the UNHCR's role, legal framework or formalised guidelines that would assist with the management of the refugee problem (Lindley, 2011:20).

As a result, the decision to forcefully repatriate Somali refugees was made in 1992 by President Daniel Arap Moi, through an announcement via the media. The announcement took place during the first multi-party elections in Kenya, making critics suspect that it was a diversionary tactic by Moi, who was well-known for political repression. By placing a focus on the refugees and the pursuit of national security, Moi would be able to gain the confidence and the votes of Kenyans. Moi's response to the refugee crisis had always been an aggressive one, where refugees and asylum seekers were perceived to be troublemakers, criminals and bandits who disguised themselves as refugees so as to enter the country. As a result, police sweeps and a policy of security checks became the norm, which resulted in arrests and harassment of ethnic Somalis, with those unable to prove their citizenship being forcibly repatriated back to Somalia.

This resulted in over 3500 Kenyan citizens of Somali origin being forced to go to Somalia even though they had never lived or been in Somalia before (Veney, 2007:10). Not only were Somalis characterised as threats, which needed to be managed through eviction, but this decision left Kenyan-Somalis who could not prove their citizenship in limbo. They were not classified as refugees and neither were they citizens. They were not welcome in Kenya and they could not relate to Somalia leaving them to endure hardships, as their own state could not shelter or protect them (Ega, 2014).

Following the 1998 bombings of the US embassies in Kenya and Tanzania that were linked to al-Qaeda, who targeted the two countries in retaliation for their invasion of Somalia in an attempt to end the Somali civil war (Wright, 2006:272), the government of Kenya shifted their response to the influx of Somali refugees to include counter-terrorism efforts. These efforts began with the training of 500 police officers under the anti-terrorism assistance program

and the strengthening of intelligence through the establishment of the National security intelligence service, as well as strengthening their relationship with the US, particularly in counterterrorism efforts (Whitaker, 2008:257).

3. 2000 – 2005: COUNTERTERRORISM INITIATIVES

In 2003 the government of Kenya established the Anti-Terrorism Police Unit (ATPU), which was closely followed by the establishment of the Joint Terrorism Task Force, The National Counter-Terrorism Centre and The National Security Advisory Board in 2004 and 2005, with the support of the U.S.A and the United Kingdom. A draft of the new Anti-Terrorism Bill was also set up and later revised in 2006. All these initiatives were set up with the intention of improving investigations, identification and coordination with regards to terrorist incidents and cells, mainly as a way of preventing future attacks. (Whitaker, 2008:257 – 260).

Of all the counterterrorism initiatives that were set up, the ATPU has been the most active. The ATPU was set up within the Criminal Investigations Department (C.I.D) of the Kenya Police, primarily as a response to the terrorist attacks in 1998 that happened at the U.S embassy in Kenya. However, due to the fact that terrorist attacks have increased over the years partly due to the conflict in Somalia and the Somali Islamist group Al-Shabaab, the ATPU has taken over the role of dealing with these terror suspects on Kenyan soil. The ATPU's training and support has mainly been from the U.S and the United Kingdom as a means of supporting the counterterrorism efforts of the Kenyan government (HRW, 2014).

The ATPU argues, in unofficial accounts, that the weak judicial system in Kenya has forced them to deal with terrorism suspects through extra-judicial killings, as there is a lack of strong intelligence and evidence to persecute suspects (Al – Jazeera, 2014). However, this has been met with great criticism as some human rights advocates argue that the ATPU's actions are strengthening support for radical Islamists in East Africa (Howden, 2013).

There has been many instances where human rights violations have been carried out by the ATPU and there also has been strong evidence that point out that there has indeed been enforced disappearances, maltreatment and extra-judicial killings of terrorism suspects. This has not only painted the government in a negative light but has also resulted in international donors suspending their support towards these counter-terrorism initiatives (HRW, 2014).

According to the government of Kenya, the ATPU has managed to identify a link between drug trafficking and terrorism. It has been established that radical youths in Mombasa have been receiving funding from drug trafficking businesses that have allowed them to carry out terror activities. The ATPU has also managed to fish out radical groups that have been in hiding in the coastal region of Kenya and in some Mosques. 103 terror suspects have also been identified by the ATPU (Mbungu, 2015). According to a Mombasa county commander, “there is a wide range of terrorist networks in town. We are going to fish them out from the mosques where we are informed they hide after committing criminal activities. We will not let anyone destroy our peace” (Mbungu, 2015).

The ATPU, has managed to identify terrorist networks, the sources of terrorist activity funding and terror suspects, however, the strategies that have been employed in countering terror activities, such as extra-judicial killings and forced disappearances, tend to reflect negatively on the ATPU, as the majority of the information that has been gathered seems to take a negative stance rather than a positive one. The ATPU therefore seems to have more of a negative impact on human security than a positive one, particularly towards the Kenyan Muslim community, where the ATPU is only known for its contribution towards human insecurity in Kenya. It has been reported by some journalists that the security forces in Kenya have been harassing and killing suspected terrorists rather than following the right judicial channels. One account states that:

“...In a raid on a Nairobi apartment block, security forces including

ATPU members shot dead Hassan Omondi. One evening in June 2013, a lone gunman killed Ibrahim Mwasi (Ruta) in a public toilet. The men were all Muslims in their mid-20s and known terrorism suspects, accused of involvement in deadly grenade and bomb blasts. But instead of being investigated and tried under the law they were harassed or tailed by police for months - then turned up dead. In all these cases there is compelling evidence that the ATPU was responsible, in one way or another. They add to the already-ample evidence that Kenya's anti-terrorism police trade on fear and brutality, rather than legal criminal-justice procedures. They also reflect wider, systemic abuses in the country's security operations" (Henry, 2014).

Kenya's approach towards terror suspects has had significant implications for human security, particularly for the Kenyan Muslim community. The ATPU's disregard for human rights, especially those of terror suspects who have been wrongfully detained, killed and gone missing has left the coastal province of Mombasa in distress. Security forces have been viewed with suspicion, which has left the youth in Mombasa resorting to radicalisation, as they do not feel safe from the government (Bradbury and Kleinman., 2010:9). The violent route that the ATPU has employed in dealing with terrorism and terror suspects has created a perception of the state as a source of insecurity, which has allowed terrorist activities to increase, as people are afraid to share information at the risk of being branded a part of these terrorist groups (Bradbury and Kleinman., 2010:28).

Similarly, Kenyan Muslims in particular, are under the impression that their role in combating terrorism is viewed as insignificant, as a result of police brutality and human rights violations towards them (Shetret, 2013:8 – 9). This has created tension between the government and the Muslim community that has implication for human security, as it has led to violence and the constant fear of their safety, as the government's response has contributed to an anti-Islamic sentiment that could cause major problems in the future (Otiso, 2009:121). The Kenyan Muslims and non-Muslims are in constant fear of terrorism, being wrongfully associated with terrorism, violence and general

insecurity, which go against the ideals of human security that call for the freedom from fear. According to the Human Rights Watch, “the government [has] failed in its duty to punish those responsible for violence and [has] exhibited outright violence towards those who sought to help the victims” (Veney, 2008:78).

4. 2006 – 2010: THE REFUGEES ACT AND THE DEPARTMENT OF REFUGEE AFFAIRS (DRA).

After the 2002 elections, a new President, Mwai Kibaki, came to power. With his regime the state became more involved directly with refugees, through the 2006 Refugees Act (Lind *et al.*, 2015:29). The Refugees Act, 2006 was formally passed in 2006, as an earlier bill had been stalled in the early 1990s due to the Somali refugee crisis that occurred. The Refugees Act was set up primarily to deal with the refugee population, security concerns as well as the registration and identification of refugees (Lindley, 2011:21).

The Refugees Act (2006:1) sets out guidelines for the management, protection and recognition of refugees. The Refugees Act defines a refugee as a person who:

“(a) Owing to a well-founded fear of being persecuted for reasons of race, religion, sex, nationality, membership of a particular social group or political opinion is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or (b) not having a nationality and being outside the country of his former habitual residence, is unable or, owing to a well-founded fear of being persecuted for any of the aforesaid reasons is unwilling, to return to it” (Refugee Act, 2006:2).

Additionally, within the same year and under the provisions of the Refugees Act 2006, the Department of Refugee Affairs (DRA) was established with the Ministry of State for Migration and Registration of Persons, which gradually

took over the implementation of key areas of the policy for UNHCR. Later, in 2011, the DRA also became responsible for the reception and registration of refugees, after changes were made to the Refugee Act, tightening administrative control of refugees, following the establishment of the new constitution in 2010 (Lind *et al.*, 2015:29). The DRA is usually in regular refugee issue discussions with The National Registration Bureau, Public Health, local government, Internal Security and Foreign Affairs officials who form a refugee affairs committee that is cross governmental. This committee deals primarily with policy and legal frameworks, which was responsible for the new Immigration Bill and Refugee Bill that were drafted and following the provisions of the 2010 constitution (Lindley, 2011:21).

The Refugees Act (2006:4 - 5) also outlines the role that the Commissioner of Refugee Affairs and the Department of Refugee Affairs is expected to play. This includes: giving advice and co-ordinating the protection and welfare promotion strategies for refugees; formulating refugee policy under international guidelines; interacting with institutions, such as United Nations Agencies on refugee affairs; handling the care, reception and protection of refugees within Kenya by providing adequate services and facilities; dealing with refugee status applications; and issuing travel documents and identification documents to refugees. The DRA and Commissioner of Refugee Affairs are also responsible for the management of refugee camps and related facilities; the integration of refugees and host communities through developmental projects that promote co-existence and peaceful relations; funding for refugee assistance programmes; and ensuring that the refugees do not have a negative impact on natural resources, the local environment and host communities.

However, in 2014, the Refugees Act 2006 underwent some changes, due to the Security Laws (Amendment) Act, 2014. Two significant changes were made to the Act: the first being the limitation of asylum seekers and refugees to 150,000 in the country and the confinement of refugees in two refugee camps, Kakuma and Dadaab, through policies of encampment (Wilson, 2014). The Refugees Act, 2006 and the DRA were however met with criticism

as they were accused of failure, particularly when it came to implementation and a lack of clear national policy and institutional capacity (Pavanello *et al.*, 2010:8).

While the Refugee Act, 2006 explicitly outlines what the government's role in the protection, welfare and care of refugees is, it does not explore measures that would allow for the peaceful co-existence of the refugees and host communities. As a result of this, human security issues have become a hindrance to the progress and development of the region as the host community perceives that the refugees are living under better conditions due to the humanitarian aid that they receive from humanitarian NGOs and UN agencies, such as the UNHCR. This has caused some conflict as the refugees seem to have a better economic status, better schooling opportunities, health care and nutritional status than the host community (Kumssa *et al.*, 2009:1013 – 1014).

Similarly, under the provisions of the Refugee Act, 2006 the government of Kenya has also failed to provide adequate shelter for these refugees, as refugee housing projects in the camps were suspended, due to the fact that the shelters that were to be built were permanent structures and refugees were only in Kenya temporarily. The refugees in Dadaab therefore live in very basic shelters that are transitional, as they are mostly made of polythene bags, iron sheets and wooden poles. Due to these basic shelters refugees have been forced to cut down trees for housing. This has resulted in human security issues that not only stem from the competition of resources but also the degradation of the environment which has increased the tension, conflict and vulnerability to human insecurity for both the refugees and the host communities (Kumssa *et al.*, 2014:151 – 152).

This is not to say that development initiatives are not present in the region. However, they have brought with them some problems such as the displacement of people in the NEP so as to make room for the building of infrastructure such as roads and dams (Kumssa *et al.*, 2014:150). While the Refugee Act outlines the role of the government and government institutions,

the co-existence of refugees and host communities has not adequately been addressed or implemented which have resulted in human insecurity, which reflects government failure in the region.

5. 2010 - 2011: COUNTER-INSURGENCY: THE RECRUITMENT AND TRAINING OF KENYAN SOMALIS AND REFUGEES

In response to the conflict in Somalia, Kenya embarked on counter-insurgency measures to deal with the human security challenges that resulted. The counter-insurgency measures encompassed the recruiting and training of 2500 Kenyan-Somali youths and refugees to fight in Somalia. The Kenyan government promised allowances to these recruits, which ranged between 600 to 1,000 US dollars as a luring tactic. These recruits were trained by the government and sent into Somalia as a militia group with the intention of fighting against Al-Shabaab (Lind *et al.*, 2015:23). However, the operation was not as successful as was intended as some of these recruits ended up becoming members of Al-Shabaab and remained in Somalia, while the others returned to Kenya and deserted the mission once the reality of the situation hit home (Lind *et al.*, 2015:23).

“A lot of local boys were recruited. Initially the idea was to use Kenyan Somalis. But then locals were recruited in Isiolo, Lamu and Garissa. They were trained by the KDF. But the posting was not properly managed, so many returned. In Mandera, in 2012, 600 Garre had returned. The government knows these people but nothing was done to demobilise them. So part of the problem was failures of the government to properly deal with it, and they come back to haunt the state. The youth will tell you that they were trained from eight months to two years, and how much they were paid.” (Lind *et al.*, 2015:23).

Kenya’s decision to use Somali refugees and Kenyan-Somalis to fight in Somalia has been critiqued for being unethical and in breach of basic human rights (Lind *et al.*, 2015:23). Kenya has a responsibility as a state to protect not only its people, but also the Somali refugees who reside in it. By sending

them back into Somalia to fight on behalf of the Kenyan government, the government is prioritizing state security over that of the individual. The government has also contributed to the strength and presence of Al-Shabaab, as not only have they added to their numbers those youths who chose to remain and join the Islamist group, but they also failed to demobilise the militia group which could have human security implications for the state, as these youths are unemployed and military trained, which would have a significant impact on crime levels and insecurity in Kenya making it difficult to maintain human security.

6. 2011 - 2012: OPERATION 'LINDA NCHI'

As the counter-insurgency measures were not fruitful, the government of Kenya embarked on military intervention on the 16th of October 2011. 1500 Kenya Defence Force (KDF) personnel crossed over the Kenya-Somali border into Southern Somalia in Kenya's first military campaign across the border since independence. In an operation dubbed operation 'Linda Nchi', which translates as operation 'protect the country', this set the tone for the demise of Kenya's neutrality in Somalia's affairs. The operation was in response to the kidnappings and terrorist attacks that were taking place within Kenyan soil by the Somali Islamist group Al-Shabaab. (Lind *et al.*, 2015:22).

The Kenyan government was concerned with the raids that Al-Shabaab were carrying out towards Kenyan soldiers across the border and thus embarked on military intervention. The military intervention was backed by credible intelligence that pointed out that there would be more terrorist attacks by Al-Shabaab in Kenya. Kenya's response therefore focused on ensuring national security through the use of the military, which focused on dealing with the source of the problem in Somalia rather than preparing for pre-emptive attacks in the future (Odhiambo *et al.*, 2012:27). The Kenyan government, weary that Al-Shabaab's terrorist attacks did not have a particular pattern but were sporadic, perceived that the threats were escalating. Therefore the decision to attack this group at its core before it was able to carry out another

attack became a priority, which was seized by Kenya (Odhiambo *et al.*, 2012:27 – 28).

Kenya conceptualised this invasion as its right to defend itself under international law as expressed by the former Minister of State for Internal Security and Provincial Administration, George Saitoti, “Kenya has been and remains an island of peace, and we shall not allow criminals from Somalia, which has been fighting for over two decades, to destabilise our peace. The Kidnappers in Lamu who sneaked in and ran away must not be given a chance again” (Saitoti, 2011). The intention of operation ‘Linda Nchi’ was primarily to stop the Al-Shabaab militants from infiltrating the country. The KDF managed to stop the control of Al-Shabaab militants from 22 towns in Somalia, reclaimed the port of Kismayu and gained control of Somalia’s ports and trade routes, which were the main sources of Al-Shabaab funding (Lind *et al.*, 2015:22 – 24).

However, some scholars assert that, with the successes of operation ‘Linda Nchi’ in Somalia came some drawbacks within Kenya, as Al-Shabaab has increased their terrorist activities in Kenya as a result of the deployment of Kenyan troops into Somalia. Kenya’s intentions of dealing with the conflict in Somalia from within Somalia, ensuring that the conflict does not spill over, has not been entirely successful. This is due to the fact that Al-Shabaab has vowed to increase their attacks as long as Kenyan troops are in Somalia, as they feel that it is not Kenya’s place to interfere with what is happening inside Somalia (Atta-Asamoah, 2015:1).

Similarly, Lind *et al.*, (2015:7) state that, “if one goes by the statements of its important actors and by Al-Shabaab’s counter mobilization around Kismayu, and several terrorist attacks in NEP any further action by Kenya Defence Forces will only aggravate Kenya security situation rather than addressing it.” (Ombati, 2011). As a result, human insecurity within Kenya has increased since Kenya’s response to the conflict in Somalia in 2011.

7. 2012 – 2013: ENCAMPMENT POLICIES AND RELOCATION OF REFUGEES

Following the closure of the Kenya-Somali border and the suspension of refugees between 2007 and 2011, Kenya decided to strengthen its encampment policies between 2012 and 2013 primarily, by the relocation of Somali refugees to Dadaab refugee camp from the urban areas. The DRA issued a directive on December 2012 stating that all urban refugee operations had been stopped with immediate effect. This order was also followed by a security crackdown by security forces in Eastleigh, which led to strong international critique due to human rights violations being carried out by the police and the ATPU (Lind et al., 29 – 30). As a result, in January 2013, the Kenya high court ordered an interim halt to the implementation of the relocation order, and in July of 2013 it was concluded that the order violated the rights, dignity and freedom of movement that refugees had. The courts also stated that there lacked evidence that such measures were necessary to ensure that Kenya's security situation would be enhanced. (GOK, 2013).

8. 2014: OPERATION 'USALAMA WATCH'

In response to the courts orders, the government of Kenya decided to embark on a different approach by setting up another security operation but this time within its own borders. Operation 'Usalama Watch', translated as operation 'peace watch', was set up in 2014 as a counter-terrorism measure that was deemed necessary. The operation was set up with the intention of increased policing and the removal of foreign nationals that were in Kenya illegally. The government of Kenya perceived that terrorist attacks that were happening within its borders were as a result of groups or individuals that were in Kenya illegally. The government therefore set out to deploy 6000 police officers and soldiers in Eastleigh, where the majority of the urban Somali refugees were assumed to reside, and 4000 more soldiers into Somalia (Lind *et al.*, 2015:25).

Both the army and the police officers were sent into these areas with the intention of identifying and detaining any foreign nationals that were in Kenya illegally. However, it became apparent early on that the target was Somalis, both Kenyan and non-Kenyan. With operation 'Usalama Watch' came accusations of ethnic profiling as well as human rights violations, as the police tended to demand bribes and violate measures of human right protections. It was also very difficult to distinguish between Kenyan Somalis and Somalis from Somalia which made the accusations of ethnic profiling even more obvious, bringing back historical issues of marginalisation particularly for Somali's and the Muslim population as a whole. Insecurity and injustice therefore became the foundation of the state (Lind *et al.*, 2015:25).

In addition to operation 'Usalama Watch' the Security Laws (Amendment) Bill, 2014 was signed by Kenya's Current President Uhuru Kenyatta, The Bill proposes anti- terror measures including:

- The banning of publications or broadcasting (including social media) of insulting, threatening, or inciting material, images of dead or injured people, which are likely to cause fear and information that undermines security operations, which is punishable by a fine of \$55,000, a three-year jail term or both;
- Terror suspects can be held for questioning for 360 days;
- Limitations to the number of refugees and asylum seekers to 150,000 and those applying for refugee status are not allowed to leave camps;
- Setting up a National Counter-Terrorism Centre to co-ordinate security agencies' efforts;
- Public officials found guilty of issuing irregular IDs or allowing irregular entry into the country are liable to a minimum of 15 years in jail;
- Persons in charge of premises where weapons are recovered may face up to 30 years in prison; and
- Persons promoting ideology based on violence to advance

political, religious or social change may face up to 14 years in jail” (BBC, 2014).

The Security Laws (Amendment) Bill, 2014 was set up by the government to ensure that there are more powers to ensure security by fighting the threats that are emanating from militant Islamists particularly from Somalia. The Bill addresses issues that stem from the inciting of fear, undermining security operations, the handling of terror suspects, the encampment and limitations on refugees, the coordination of security agencies and the measures of punishment for public officials in breach of the law, those found guilty of promoting violent ideology and those in possession of weapons. Some opposition groups and civil society have accused the Bill of being in violation of human rights, as the punishment and handling of the media and terror suspects have been found to be too harsh, especially because it does not have any measures to handle cases of those who have been wrongly accused. The Bill is therefore currently being challenged legally in court by these opposition groups and civil society who argue that it violates human rights (BBC, 2014).

9. CONCLUSION

In conclusion, Kenya has conceptualised and responded to the human security challenges that have resulted from the conflict in Somalia in varying ways. The responses to these challenges have been constantly evolving and changing over the years. As the consequences of the conflict in Somalia increased, so did the intensity of the responses and the intensity of the measures that the state was willing to take to ensure security.

Kenya’s main issues of concern revolve around the influx of refugees and terrorism by the Somali Islamist group Al-Shabaab. As a result, the laissez-faire approach towards refugees and asylum seekers that was practiced in the 1990s had to change as the numbers of refugees began to increase. Kenya could no longer act as a transit country helping out asylum seekers and

refugees. It was a country experiencing the spill over effects of the conflict in Somalia. In this regard, Kenya's slow response to the refugee crisis initially, took on a more aggressive approach that included the management and confinement of refugees in camps situated in the NEP, deportation of Somalis who could not prove citizenship, policy development through the Refugee Act, 2006 and the establishment of the DRA among other measures. The management of refugees became a priority.

However, with these measures came some benefits and consequences. The benefit of placing refugees in camps is that it was easy to keep track of and manage these refugees. However, due to the fact that these camps were set up as temporary solutions, overcrowding and an increase in population did not ease the underdevelopment the NEP was already facing. As a result human security challenges that revolve around the basic needs approach's seven core elements have had a negative effect on the region. The competition for resources, such as water and land, perceptions of unequal economic benefits from humanitarian support and the difficulty in accessing social amenities has resulted in tension and conflict between refugees and the host community in the NEP, which in some cases have led to the destruction of property and the loss of lives. This reflects negatively on the government, as the failure to meet the provisions of the Refugee Act or adequately deal with the protection, care and welfare of both the refugees and the host community and Kenyan citizens, points towards government failure in dealing with the effects of the conflict in Somalia adequately.

Similarly, the government of Kenya's decision to get involved in the conflict in Somalia, as well as the counterterrorism initiatives such as operation 'Linda Nchi' and 'Usalama Watch' and the failure of the counter-insurgency efforts, have also pointed towards government failure in addressing the human security challenges resulting from the conflict in Somalia. In many ways, the government's response to the conflict in Somalia and the human security challenges that have resulted, have jeopardised human security rendering the state a threat to its own people as conceptualised by the interventionist approach to human security.

Kenya has had some successes in Somalia, such as the securing of 22 towns and the acquisition of Kismayu, the main source of Al-Shabaab funding. However, by opting for military intervention as a response to the threat of Al-Shabaab, Kenya has aggravated the situation as terrorist activities have actually increased due to its involvement in Somalia. Similarly, the ATPU and Kenya police treatment of Kenyan Muslims, disappearances and extra-judicial killings of terror suspects, removal of illegal foreign nationals and the increased policing within Kenyan borders have outlined Kenya's failure in addressing the human security challenges resulting from the conflict in Somalia. This is due to the fact that it has created an image of Kenya, particularly to the International Community, that is negative. Issues of ethnic profiling, human rights violations and the marginalisation of the Kenyan Muslim community are perceived to be at the core of Kenya's main strategies when it comes to dealing with the spill over effects of the conflict in Somalia. The International Community has met these strategies with great criticism, as the measures have been viewed as being too drastic. The state has therefore been perceived to be providing more human insecurity rather than offering solutions towards acquiring human security.

CHAPTER 5: EVALUATION

This chapter will provide a brief summary of the study. An assessment of the assumptions that were formulated in the introductory chapter will be carried out with the intention of analysing how the human security issues that have occurred in Kenya as a result of the conflict in Somalia, have been conceptualised by the government of Kenya and what implications have resulted from the responses that followed these challenges. A brief conclusion will also be presented.

The main aim of this study as identified in chapter one was to identify and assess, the human security challenges in Kenya that have resulted from the conflict in Somalia, and how the Kenyan government has conceptualized and responded to these challenges. The study also aimed to evaluate whether the government responses to the conflict in Somalia and the human security challenges that emanated from the conflict reduced or contributed to human security threats in Kenya. The aim of the study stemmed from the main research question: *how has the Kenyan government dealt with the national security threats emanating from the conflict in Somalia from 1991 to 2014?*

In order to address the main research question, subsidiary research questions were developed, which include:

- *What is human security and how does Kenya conceptualize it?*
- *What are the human security challenges that have resulted in Kenya from the conflict in Somalia?*
- *How has the government of Kenya conceptualized and responded to the human security challenges that have resulted from the conflict in Somalia?*

Following a literature review, Chapter one demarcated and formulated the main research problem and the main assumptions that were made in

response to the research question. The main assumptions developed were that:

- The Kenyan government has dealt with the human security threats emanating from Somalia in different stages dictated to by the nature of its concerns and the intensity of perceived threats to its national security, which may have negatively impacted on human security.
- Kenya has conceptualized the human security challenges that have resulted from the conflict in Somalia as a matter of national security and some of the responses have managed to marginalize the Kenyan Muslim community.

As a point of departure, the evolution of the concept of security in the post-Cold war era created a shift of the referent object of security, stepping away from the traditional conception of security, that focused on state sovereignty and military intervention, to a new conceptualisation of security that revolved around the individual and the protection of the individual as the main focus of security. This emanated from the introduction of new security threats that accompanied the process of globalisation. These new security threats came from within the state and had devastating effects on the quality of human life, such as poverty, unemployment, human rights violations and environmental degradation, which had become just as important as the threat of violent conflict.

From this, the concept of human security became the focus of many states including Kenya. However, it became apparent that human security encompassed varying conceptualisations and definitions, which were contested by many scholars and policy makers who did not agree on a universal definition. Therefore, from the extensive definitions that were explored in the study, the working definition that suited Kenya's human security interests accommodated political and social factors and addressed

the processes of governance, equal development and access to basic necessities. As a conceptual starting point, Newman's (2001:239) conceptualisation of human security through different contexts and orientations, addressed adequately the dynamic contexts of the Third World and the challenges that are prevalent in African states, such as Kenya. Newman's (2001:239) conceptualised human security through four approaches that addressed human security from different contexts such as development and security, inadequate access to basic needs, the influence of power structures and non-traditional security threats.

The four concepts of human security identified by Newman's (2001:245) included:

- The basic needs approach;
- The assertive/ Interventionist approach;
- The social welfare/ developmental approach; and
- The new security approach

Newman's (2001:239) focus on a range of agendas, actors, contexts and alliances adequately addressed the dynamic nature of the human security challenges in Kenya as a result of the conflict in Somalia. It established a space for analysis that assimilated the contextual differences of the urban and rural areas of Nairobi, Mombasa and the NEP, which were the main regions used in the study. These areas were used as the main focus of the study due to the fact that they have had the most substantial levels of human insecurity due to the conflict in Somalia. As a result, a combination of two concepts of human security, the interventionist approach and the basic needs approach, identified by Newman (2001), were used as the main criteria for assessment.

The human security challenges that emanated from the conflict in Somalia revolved around issues of welfare, underdevelopment and the struggles of daily life in the rural areas, for which the basic needs approach provided categories of human security to be assessed. The urban areas, on the other

hand, were affected particularly by the intervention strategies pursued by government institutions towards the conflict in Somalia and its effects on human security in Kenya. The interventionist approach provided criteria for assessment measuring the successes and failures of intervention through strategies and policies proposed to promote human security by the government of Kenya. Furthermore, Kenya's conceptualization of human security was also explored and the main findings concluded that Kenya lacked a comprehensive national security policy (ICTJ, 2010:4) thus the security sector relied on the Constitution of Kenya, 2010 as a guide. Under the guidelines of the Constitution of Kenya, 2010 and the Bill of Rights the access to basic human needs, the preservation of human security and good governance were identified as the main human security interests of the state.

Following this, the broad nature of the basic needs approach was identified as best suited to adequately assess human security in the NEP, in order to determine whether the government has been successful in honouring the human security interests that have been outlined in the Constitution of Kenya, 2010 using the UNDP's seven categories of human security outlined in the basic needs approach. The interventionist approach was also identified as a narrower assessment of human security that was best suited to address the preservation of human security in the urban areas of Nairobi and Mombasa, by assessing government successes or failures in response to human security threats emanating from the conflict in Somalia and the state involvement in the conflict in Somalia.

1. THE RURAL AREAS: THE NORTH-EASTERN PROVINCE (NEP)

Due to the on-going conflict in Somalia which began as a civil war between 1991 and 1992 and the effects of famine between 2010 and 2012 in Somalia, increased refugee flows became the norm in East Africa, with the majority of the Somali refugees settling in Kenya, where they shared ethnic, cultural and religious beliefs with Kenyan-Somalis. Similarly, the destruction and wide spread conflict in Somalia also facilitated the growth of Islamist terrorist

organisations such as Al-Shabaab who gained control of the majority of Somalia and expanded their interests to the rest of East Africa, with the intention of creating an Islamic state and retaliating from Kenya's involvement in Somalia's conflict.

The refugees and terrorist activities by Al-Shabaab were identified as the root of human security implications in Kenya, which affected the rural area of the NEP and the urban areas of Nairobi and Mombasa in varying ways. This shifted the government perception of Somali refugees from asylum seekers to security threats, as their increasing numbers were proving to be a burden for Kenya. Somali refugees were therefore confined to the NEP in refugee camps under the care of the UNHCR, where they were to be temporarily sheltered. The NEP was chosen as the ideal area to host Somali refugees because of its proximity to Somalia, ethnic similarities and its historical links to Somalia pre-colonisation, leaving it marginal from the rest of Kenya. Criminal banditry and the 'restriction' of the area, linked to the post-colonial era, created long term consequences of economic and social bearing and underdevelopment which, coupled with a substantial Somali refugee population, lead to economic neglect and disruption to the pastoral economy in the NEP by the government of Kenya and were consequently linked to human insecurity in the region.

Using the UNDP's seven core elements of human security in Newman's (2001) basic needs approach, it was outlined that the NEP faced human insecurity in all the seven areas such as poverty, deprivation, poor health standards, limited access to doctors and medical facilities, political marginalisation, underdevelopment, environmental degradation, limited access to food, and poor security of the community and personal security of Kenyan's living in the region. As a result, the NEP has been ranked the poorest province in Kenya which reflects poorly on governance and the pursuit of human security interests by the government, as outlined in the Constitution of Kenya, 2010 and the Bill of Rights.

The research has outlined that Kenya initially had a passive approach towards the refugee crisis and the assistance of the refugee community. Kenya accepted these refugees due to the fact that it abides by the ratified 1969 OAU convention pertaining to refugees and the 1951 Refugee Convention. These refugees were accepted into Kenya as part of a requirement and also due to the fact that these statutes legally bind Kenya (Aronson, 2011). This resulted in refugees having very few rights or luxuries, which did not go beyond unwritten and informal policies once they were on Kenyan soil. While the refugees were confined to camps in the NEP under the supervision of the UNHCR, the government of Kenya and the UNHCR failed to reach a mutual agreement when it came to dealing with the refugee crisis which has not only resulted in refugee conditions being dire, but has also negatively impacted the NEP and the living conditions that were already questionable in the region. (Aronson, 2011).

Similarly, some of Kenya's response to these refugees and the conflict in Somalia and the human security challenges that have resulted from this conflict within Kenya tend to take on a counterproductive outcome. Some of the responses to these refugees and the conflict have included encampment policies, the development of remote refugee camps in the NEP, the closure of the Kenya-Somalia border and relinquishing the responsibility of these refugees to the UNHCR. These responses however have not managed to address all the concerns based on the safety and well-being of Kenyans. The NEP in particular has been the hardest hit by the conflict in Somalia and the increased refugee flows into the region. As a result the NEP remains underdeveloped and neglected.

Kenya's approach towards the Somali refugees outlines that the integration of the host community and refugees has not been seriously tried as a sustainable option. With issues of limited land, economic challenges and political setbacks, refugees and integration have not been made a priority. This has also been further expressed by the lack of the implementation of the Refugee Act, 2006 which would help significantly with the large numbers of Somali refugees, especially when it comes to the legal recognition of refugees

within the political system in Kenya which is still lacking (Abdi, 2008:11). The integration, resettlement and management of refugees cannot be adequately addressed if the issues have not been set out in a legal framework that can be implemented. Kenya's position as a signatory to the International Agreements on Refugee Protection and its lack of action when it comes to refugee affairs shows that it is not a priority to deal with the problem of a refugee influx, but rather indicates that the problem has been delegated to the UNHCR who are not responsible for the effects that this has on the Kenyan people (Chacha, 2004:66).

According to Bellamy *et al.*, (2002:373), rather than being a source of the solution the state has become the source of insecurity as expressed in some human security perspectives. The state's response has created a problem rather than a tool that resolves these human security threats. In these instances, the emancipatory discourse of human security tends to be disrupted by the state, which plays the role of a human security agent. In the case of the NEP at the lowest level, the UNDP's seven basic needs should be prioritised, without jeopardising one community over the other, in the pursuit of human security (Thomas, 2010:162).

Kenya's response to the human security challenges in the NEP have included:

- The closure of the Kenya – Somali border that seems to lack a practical approach due to the fact that immigration officials and police are lacking and there is also extensive land that needs to be policed along the border. It has therefore remained a theory with good intentions that lacks action (Aronson, 2011).
- The development of temporary refugee camps, which have been neglected and delegated to the UNHCR. These refugee camps set up by the government of Kenya have had their own human security challenges which have spilled over into the host communities over the

years as they lack basic needs such as resources and have become breeding grounds for high crime rates, overcrowding and extremely poor living conditions (Aronson, 2011).

According to Abdi (2010), one of the main reasons why the government of Kenya has neglected the NEP is due to the fact that there is a perception that the natives were forced to be Kenyans following the shifta wars. Therefore in terms of development, the NEP and Somalia are very similar, this is due to the fact that health care, education and infrastructure have all been neglected by the government of Kenya, which doesn't differ greatly from the conditions in Somalia.

As a result, this neglect has made entry into Kenya by terrorists and the smuggling of weapons easier as the NEP's ungoverned spaces have occasioned porous borders that have poor policing due to limited human resources and financial limitations. As much as there is some level of policing and a military presence in the NEP there seems to be some shortcomings when it comes to who goes through the Kenya-Somali border. The main issues that revolve around the NEP can be credited to corruption as it seems that with little bribing of the authorities in charge of the border security anyone or anything can be smuggled through making it easy for groups such as Al-Shabaab to carry out their attacks (Otiso, 2009:114). Lawlessness prevention and national border security have been viewed as the results of government failure rather than a lack of capacity by the Kenyan government, which has resulted in a human security decline, due to the role of the state which has enabled terrorism and aggression to thrive especially in the NEP (Chacha, 2004:74).

Based on the information available, Kenya's approach to the human security challenges in the NEP as a result of the conflict in Somalia can be perceived as inadequate. This is due to the fact that there have been no attempts to integrate the host community with refugees. There have been no initiatives beyond military response that could effectively deal with the issues of basic needs. The added pressures of refugees and the inadequate management of

these refugees have had a negative impact in the NEP as they have increased the human insecurity in the region.

2. THE URBAN AREAS: NAIROBI PROVINCE AND MOMBASA

Similarly, the main findings in the urban areas of Mombasa and Nairobi through Newman's (2001) interventionist approach indicated a prioritization of state security over human security, through Kenya's military intervention in the conflict in Somalia. The urban areas highlighted the fact that the pursuit of state sovereignty does not always guarantee human security and that Kenya's involvement in the conflict in Somalia created human insecurity rather than human security. Kenya's political decisions and aggressive strategies in the management of refugee affairs and terrorism, such as military intervention, empowering of security forces, such as the ATPU and the political exclusion of Mombasa created sentiments of marginalization for Kenyan Muslims, more terrorism and the disregard for human rights towards Kenyan citizens suspected of terrorism, by Kenyan security forces, which has led to recurrent problems of human insecurity.

These human insecurity problems included: the loss of lives, the constant fear of death due to terror activities, economic, social and political deprivation and inequality for undocumented Kenyan Muslim Youth who cannot access employment and good education, vulnerability of Kenyan Muslims who do not feel safe from state-sponsored aggression by the ATPU and the Kenya police, and the failure to curb the recruitment and radicalizing of Kenyan youth by Islamists. The urban areas highlighted that the pursuit of state security, fueled human insecurity in Mombasa, Nairobi and Kenya as a whole, and in particular, towards the Kenyan Muslim community.

Kenya's response in the urban areas, to the human security challenges that have resulted from the conflict in Somalia have primarily focused on the perceived challenges that include:

- Economic unrest;
- General security; and
- Terrorism

The responses in these urban areas have changed and evolved over the years according to how threats were conceptualised and prioritised at a particular time period. Some of these responses included:

- Counterterrorism initiatives such as operation ‘Linda Nchi’ and ‘Usalama Watch’;
- The establishment of anti-terror institutions and legislation, such as the ATPU and the Security Laws (Amendment) Bill, 2014;
- Counter-insurgency strategies; and
- The relocation of urban refugees to the refugee camps in the NEP

The study has shown that most of these responses have been met with opposition, as they have been perceived as creating new vulnerabilities. The security forces and their practices have been viewed as repressive and negatively contributing to human security threats that are already present as a result of the conflict in Somalia. These law enforcers, the ATPU and the police as a whole, have been viewed as lacking professionalism, due to the fact that they have little regard for human rights. This has fostered distrust in the law enforcement and has also allowed for the marginalisation of one community in particular, the Kenyan Muslim community (Shetret *et al.*, 2013:8 – 9).

Due to this marginalisation of the Kenyan Muslim community, it has become easier for terrorist groups such as Al-Shabaab to garner sympathisers and followers, an action which has managed to facilitate for more terrorist attacks to occur. As a result of poverty, non-existent social services, unequal development and marginalisation at social, economic and political levels an enabling environment for terrorists has been created. Both the NEP and the Mombasa province, which have the highest number of Muslim populations in

Kenya remain relatively underdeveloped in comparison to the rest of Kenya (Otiso, 2009:116).

Similarly, the living conditions in the urban areas, such as Eastleigh in Nairobi, are just as wanting as they are plagued with issues such as collapsing infrastructure, unplanned growth and lawlessness alongside the lack of basic services. With this there has been the growth of illicit activities as these conditions allow for a level of invisibility within the urban areas. This has allowed for Al-Shabaab to access a playground for recruitment of new members and the increase in crime rates, as Eastleigh holds one of the highest crime rates in Kenya. Even with the provisions and attempts at detaining these refugees in camps, the lack of clear refugee legislation has made such situations ambiguous (Aronson, 2011).

As a result Security services and law enforcement have completely destroyed and undermined the confidence that citizens should have for the efforts being made towards counter-terrorism. Instead support from the public and the rule of law has been undermined due to the fact that basic human rights are not being given the respect that they deserve (Rosand and Ipe., 2009). According to Burns (2010:11), the Kenyan government has failed as there has been a lacking in the efforts to "...address the security issues stemming from Somalia. Despite excessive military spending, the government has done little to convince its citizens that they are safe from the conflict outside its borders." The study has shown that Kenya's response to terrorist threats through counter-terrorism initiatives have managed to make Kenya more vulnerable to terrorist attacks as terrorist activities have increased since troops were deployed into Somalia (Atta-Asamoah, 2015:1).

Similarly, the empowerment of the ATPU and the Security Laws (Amendment) Bill, 2014 also influenced the sentiment of marginalisation, as they were both perceived as targeting the Kenyan Muslim community. The disappearances, maltreatment and the extra-judicial killings of Kenyan Muslims suspected of terror have further confirmed these sentiments. This is mainly due to the fact that these actions are not being carried out lawfully, with strong intelligence or

evidence and only seems to be happening to the Kenyan Muslim community (HRW, 2014). The unprecedented tools and powers that have been given to the security forces in order to combat terrorism have proven to be a source of human insecurity. Interrogation tactics are also heavy handed violating human rights and fuelling protests, which have not produced or sustained any changes, especially as a result of the new security measures. In this instance it has been perceived that security has replaced liberty. (Otiso, 2009:121 – 122).

Lastly, the Security Laws (Amendment) Bill, 2014 has also been viewed as a vehicle that is fostering marginalisation as it is:

- Viewed as a tool that promotes division especially for the Kenyan Muslims who have viewed it as a target towards one group, the Muslims of Kenya;
- Due to the fact that it does not address those who have been wrongly accused of terrorism it is viewed as oppressive and draconian; and
- It is viewed as a tool that allows for human and civil rights to be violated as it terrorises Kenyans. It doesn't allow for the contact of lawyers or relatives when suspected terrorists are arrested or detained (Otiso, 2009:122 – 123).

The government denies these claims and state that Kenyan needs will be met through amendment before its enactment. However not many Kenyans believe this to be true, as they still remain unconvinced and do not believe in the government's approach or measures towards counter-terrorism (Otiso, 2009:123).

The study did however face limitations; this is due to the fact that there is very little literature that addresses the responses to the human security challenges from the government's perspective. The majority of the literature addresses the negative outcomes of government response and human insecurity alleviation and speak very little of the successes. As a result the negative

tends to outweigh the positive outcomes of the government response to the human security challenges emanating from the conflict in Somalia.

While some successes were apparent, such as the cessation of 22 towns controlled by Al-Shabaab, and the identification of the main source of Al-Shabaab funding by the KDF, the military intervention in Somalia, operation 'Linda Nchi', was found to be counterproductive as it resulted in more terrorist attacks in retaliation. It revealed however, that while the government took significant steps through policy and counter-terrorism strategies in response to the conflict in Somalia, the instances of government failures in meeting the provisions of the Refugee Act, 2006, the harsh nature of counter-terrorism initiatives, the violation of human rights and the reported cases of disappearances, extra-judicial killings and forceful removal of illegal foreign nationals outweighed the positive.

It suffices to conclude that the study provided an exploration and analysis of how Kenya has dealt with the human security threats emanating from the conflict in Somalia and the impact on human security that Kenya's response had on all Kenyan citizens. The main finding of the study reflected that Kenya's response to the conflict in Somalia and the human security threats emanating from the conflict were dependent on the intensity of threats and the security interests of the state. Some positive strides were identified, while some measures took on an aggressive approach, such as military intervention; others tackled threats through policy which failed to be adequately implemented. As a result, issues of ethnic profiling, human rights violations and the marginalisation of the Kenyan Muslim community were at the core of Kenya's main strategies which have created more human insecurity rather than offering solutions towards acquiring human security. Moving forward, it is necessary for the Government of Kenya to enhance policy development and the implementation of existing policies, while ensuring human security to all its citizens as the current strategies.

3. RECOMMENDATIONS

As a necessity to international humanitarian law, Kenya is obliged to open its borders to refugees. The government has chosen not to get involved with issues pertaining to refugees, leaving it primarily to the UNHCR and other non-governmental organisations. However, this does not change the fact that every month, Somali refugees enter Kenya in thousands, which is a major burden that is felt by the Kenyan people. It is therefore necessary for some sort of balance to be met where the refugees and the Kenyan population can feel safe and protected. The solution will therefore not be in neglecting refugees either in the urban areas or in the NEP. The problem cannot just simply disappear. It is therefore necessary for the government of Kenya to work towards improving living conditions in the NEP and within the refugee camps as well as by working closely with the UNHCR and Non-Governmental Organisations so as to improve the current situations (Aronson, 2011).

Citizen cooperation is necessary if the war on terror is to be won. It is therefore necessary that political, human and civil rights should be prioritised. The government of Kenya needs to pay attention to the negative views and impact that the war on terror has brought with it and make adjustments accordingly (Otiso, 2009:128).

An assessment of refugee management standards needs to be carried out by the government of Kenya, particularly, with regards to the type of reception that they receive, their protection and the standards of living spaces they are subjected to. By effectively dealing with refugee living conditions, the growth of activities that are undesirable in these spaces will reduce, having a positive impact on human security. The government of Kenya should therefore focus on integrating these refugees with host communities and allowing them the privileges of making a living so as to ensure that the NEP is not a space where illegal activities can thrive due to desperation and underdevelopment (Abdi, 2008:11).

Internal security problems such as poverty, corruption and crime need to be addressed (Chacha, 2004:74), especially in the NEP and the urban areas of Eastleigh and Mombasa. It is necessary that the government focuses on building the capacities of host communities and refugees to reduce vulnerability and strengthen their resilience to human security threats; alternative sources of wealth should be made available alongside shelter, water, sanitation, energy and good quality education so that development can be sustained (Burns, 2010:152).

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