



The NDC Journal

A Publication of the National Defence College, Kenya

Course 24-2021/22



THE CUTTING EDGE





The NDC Journal

A Publication of the National Defence College, Kenya

Course 24-2021/22



THE CUTTING EDGE



Disclaimer

The views and opinions expressed or implied herein are those of the authors and should not be construed as the official position of the National Defence College, Ministry of Defence or other Agencies and Departments of the Government of Kenya.

CONTENTS

Members of The Editorial Committee	ix
Message from The Chairman	xi
Foreword by The Commandant	xii
Message from The Sponsor	xiii

Part 1

Diplomacy & Foreign Affairs

Science, Technology, and Innovation Diplomacy in Enhancing Foreign Policy in Africa Concerning Kenya	1
The Competition for Power between Saudi Arabia and Iran Dominant Regional Influence	8
Originating from Common Genes: A Shared Vision of the Future	16
The Effects of the America-China Trade War	23
Enhancing Kenya's Diplomacy and Image Through Sports	29

Part 2

Security

Private Security Sector in East Africa Region: A Case Study of Kenya	37
Countering Cyber Terrorism: The Case of Kenya	45
Cybercrime - A Nexus to Social and National Security in Kenya	53
In The Horn of Africa, Military Choice in the Prevention of Violent Extremism Leads to Terrorism	62
Stochastic Terrorism as a Potential Threat to Security in the Horn of Africa	71
The Role and Challenge of the Military in Counterterrorism in the Horn of Africa	77
An African Perspective on Security Reforms for Sustainable Development	85
Climate Change: A Threat to Kenya National Security	90
Radical Islam to Rwanda's Security	99
Street Children: Domestic and International Security Threats	106
The Impact of Cybercrime on Tanzania's Security and the Strategies for Combating it	112
Soft Power in the Fight Against Youth Violent Extremism in Kenya	118

CONTENTS

The Gulf in the Horn: Analysing the Implications of the Growing Interdependence between the Horn of Africa and the Middle East Security Complexes	123
The Impact of Maritime Security on the use of Blue Economy Resources in Africa: A Case Study of Kenya and Mozambique	132
The Challenges and Opportunities of The African Union-North Atlantic Treaty Organization's Military Interoperability	139
Comparative Defence Grand Strategy: The Case of India and Pakistan	146
The Media, Public Opinion, and National Security	156
Security Council of The United Nations - The Penholder System	163
The Role of Civil Society In The Prevention of Violent Extremism	169
Impact of Poverty on Insecurity In Africa : A Case Study of Kenya	179

Part 3 Society Management

Harnessing Diaspora Potential: Kenyans in America	189
Refugees and Security Nexus in Malawi	198
The Blue Economy Resources In Advancing National Security Interests in Africa Concerning Kenya	204
The Impact of Foreign Aid on Economic Growth in Burundi	209
The Blue Economy's Potential for Promoting Socioeconomic Development in Kenya	216
The Socio-Economic Implications of Digital Technology Growth and Development in Kenya	221
The Challenges of Digital Taxation in Developing Countries	228
The Societal and Economic Effects of Covid-19 Containment Kenya Measures	236
An Advancing Developmental State : A Case Study of Mango Fruit Value Addition in Kenya	244
The Challenges of Food Security in Kenya	251
Lessons Learnt Since The Covid-19 Outbreak in Africa	257
Community Participation and Resource use in Marsabit County, Kenya	266
Climate Change and its Impact on Bangladesh	272
Leveraging on Medical Tourism to Increase Tourists Revenues in Kenya	279

The Environment And Global Warming	284
Kenya's National Inequality and Underdevelopment	290
Sustainability Fundamentals	299
Socio-Economic Impacts of Covid-19 in Kenya	308
Effect of Bureaucracy on Performance of Commercial State-Owned Enterprises – A Case Study Of Kenya Ordnance Factories Corporation Bakery in Eldoret	319
Covid-19: A Boosting for International Order Transformation	326
Economic Cooperation Between China And Sudan	334
Catastrophic Costs of Health Care in Kenya	342
Role Of Leadership And Governance In Africa's Socio-Economic Development	349
Global Efforts To Control Wildlife Crime: Means, Opportunities, And Difficulties .	357
Evaluating The Impact of Stigma and Discrimination on offender Reintegration	364
E-Waste: A Menace or a Source of income	374
Evaluation of Kenya's Legal Framework on Money Laundering.....	378
Illicit Brews in Kenya: Which Way: Eradication or Reduction?	386
Gender-Based Violence in Kenya	392
The Impact of Devolution on Health Security in Kenya	397
The Importance of Forensic Accounting in Curtailing Fraud in Nigeria	403
Healthcare in Kenya Has Evolved	408
Prevention is Better than Cure: A Sustainable Approach to the Fight against Corruption in Kenya	414

Part 4

Conflict Management & Resolution

Why Maritime Dispute between Kenya and Somalia	429
Militia Use in Counter Insurgency: The Great Lakes Region	434
The Human-Wildlife Conflict In East Africa-The Crocodile Experience In Uganda .	439
Human Elephant Conflict in Botswana	445

Members of the Editorial Committee



Editorial Committee

From left to right: Stanley K Mwangi, Julius Larama, Moses Gicharu, Bakari Chongwa, Gladys Kurui, Dr Maureen Kamene, GP Capt Idris Suleiman, Joseph Sarara, Jasmine Musembi, Col Wilson Keter (Chairman).

Message from The Chairman

It gives me great pleasure to introduce this edition of National Defence College (NDC) journal by course 24-2021/2022 participants. The journal comprise well researched articles on topical issues with emphasis on security, management, development and real life experiences.

I would like to take this opportunity to thank the editorial team, the participants of course 24-2021/22 and the entire College fraternity for their immense contribution towards the production of this journal. My sincere gratitude goes to the Sponsor Senior Directing Staff Army for his continuous guidance and encouragement.

I would also like to thank the Commandant NDC for the material and moral support in the production of this edition. To our distinguished readers I wish them a pleasant reading.



Col W K Keter
MBS 'psc' (K)
Chairman

Foreword by The Commandant



The National Defense College (NDC) once again celebrates another important milestone, the release of the 24th Edition of the College Journal in line with the professional and academic traditions of the institution. This edition provides an exciting read and illuminating global perspectives considering the wide geographic, cultural and professional scope of the participants. Journals promote active reading, provoke deep thinking, provide excellent sources of in-depth information and a wealth of knowledge on real life issues.

I am delighted to welcome you to read this insightful publication a product of the course participants drawn from 62 participants from 16 countries namely: Bangladesh, Botswana, Burundi, Czech Republic, Egypt, Germany, India, Kenya, Malawi, Nepal, Nigeria, Pakistan, Rwanda, Tanzania, Uganda and Zambia.

I wish to appreciate commendable efforts committed to produce this insightful edition by participants of the course 24/2021/2022. I extend utmost appreciation to the editorial committee, course participants and faculty members for their support, commitment and efforts in preparing the articles amidst demanding course work, study tours and research activities. To our esteem readers, it is my sincere hope that you will enjoy reading this edition.

Lt Gen A K Kendagor
CBS 'ndu' (USA) 'psc'(K)
Commandant NDC

Message from The Sponsor

On behalf of the Editorial Committee Members, it is with great pleasure and humility to present the 24th edition of National Defence College (NDC) journal for Course 24-2021/2022. The articles presented in the journal are well researched diverse topical issues affecting the contemporary world.

As “The Cutting Edge” it is my sincere hope that the participants drawn from sixteen countries will continue to be in the forefront as they endeavour to engage in policy and decision making matters affecting their respective countries.



I take this opportunity to thank the Editorial Committee, Course Participants, and the Faculty for the successful production of this journal.

Lastly, I wish to pass my gratitude to the Commandant NDC for the guidance and support in the production of this journal.

Brig W S Wesonga EBS 'ndc' 'psc' (K)
SDS ARMY

Vision

To be a Regional Centre of Excellence for Policy and Strategic Studies towards the realization of a secure, stable, prosperous and peaceful society

Mission

To prepare selected Senior Military Officers and equivalent Senior Civil Servants of the Republic of Kenya and their counterparts from selected friendly Countries for higher responsibilities in the Direction and Management of Security and other related areas of Public Policy

Part 1

Diplomacy & Foreign Affairs

SCIENCE, TECHNOLOGY, AND INNOVATION DIPLOMACY IN ENHANCING FOREIGN POLICY IN AFRICA CONCERNING KENYA

Col Francis E Emathe 'psc' (K) – Kenya Army

Abstract

Science and Technology refer to processes and activities for generating knowledge and information about the material world and their application to improve human welfare. It makes the development of knowledge relevant and essential to livelihood security and critical to development objectives at the local, national, and international levels.

An effective Science, Technology, and Innovation (ST&I) system are required for a country to harness the potential of modern science and technology to its social and economic advantage. This awareness has replaced an earlier belief that heavy investment in scientific and technological research and the purchase of technology from abroad were sufficient to achieve these goals.

A useful innovation system is required for a country to harness the potential offered by modern science and technology to its social and economic advantage. In its broadest conception, the national innovation system is the means through which Kenya seeks to acquire, exploit, and diffuse knowledge to achieve individual and collective goals.

Research Questions

The research questions below will guide this paper;

- a. What innovation system does the government need to adopt to ensure that the education infrastructure interacts dynamically with the national needs?
- b. What macroeconomic and social challenges in Kenya should be identified through a consultative process?
- c. What alternative engagement challenges should be profound in establishing the power balance dynamics in S, T&I amongst sovereign nations?

Theoretical Framework

In a world undergoing constant changes, where new global challenges affect all countries, ST&I are the engines of social and economic progress and drivers of

globalization and participate in reconfiguring the future world. In addition, its growing influence in all social areas and, especially, in international relations gives the Scientific, Technological, and Innovation Diplomacy growing importance that contributes to strengthening the international presence of a country and its image in the world.

This study will employ Globalization Theory to the role of defense engineering in enhancing national security in the African continent using the case of Kenya. Globalization' is mostly used as a shorthand way of describing the spread and connectedness of production, communication, and technologies worldwide. That spread has involved the interlacing of economic and cultural activity.

Introduction

Science and Technology refer to processes and activities for generating knowledge and information about the material world and their application to improve human welfare. The promotion of scientific knowledge and the development of technology create the necessary conditions for the socio-economic growth of a country. Solutions to many economic and societal challenges require the application of science and technology (S&T).

Science and technology make knowledge development relevant and essential to livelihood security and critical to local, national, and international development objectives. An effective science, technology, and innovation system is required for a country to harness the potential offered by modern science and technology to its social and economic advantage.¹ This awareness has replaced an earlier belief that heavy investment in scientific and technological research and the purchase of technology from abroad were sufficient to achieve these goals

Historical evidence abounds from the developed world concerning the role of scientific research and technological development in fostering unprecedented progress and opportunities for solving pressing societal needs. Various uses have been made of S&T to meet societal needs. In contrast, many industries have been born out of science, for example, the semiconductor and biotechnology industries.² These have become less dependent on science but continue to rely on it for their innovation and growth. Sustainable economic development requires that a country not remain primarily a provider of raw materials with external dependency on hi-tech services.

ST&I plays a key task in the industrialization, sustainable development, and

¹ Obudho R. A., 1999: In Obudho R. A. (Eds)- Urbanization and Sub-urbanization Processes over Time and Space Kenya.

² Ibid.

growth of nations. Investments and integration of ST&I into social, economic, and governance tasks will intensify Kenya's global competitiveness, create employment and increase productivity. Intensified application of Science, Technology, and Innovation is essential in raising productivity and efficiency levels across the economic, social and political pillars.³ Kenya enacted the Science and Technology Act in 1977. All these are key attributes to achieving the overarching Kenya Vision 2030 goals.

The government sees the key role played by ST&I in wealth creation and building the human capital required for the transition to a knowledge-driven economy. Vision 2030 asks to intensify the application of ST&I to raise productivity and efficiency levels across the three pillars of national development.⁴ As a result, the government is using the ST&I policy framework through the identification, acquisition, transfer, diffusion, and application of relevant ST&I knowledge. Kenya's innovation system is linear and does not effectively serve critical national needs.

Science, Technology, and Innovation

Therefore, the government will adopt an innovation system to ensure that the education and research system, the business system, the intermediate organizations, ST&I infrastructure, and framework conditions in which they operate interact dynamically and respond to national needs. Kenya has had successes in various research fields, particularly in medical and agricultural research. However, the achievements have been based on isolated efforts leading to limited socio-economic impact. The focused implementation of this policy & strategy aims to transform these individual achievements into a dynamic system to enhance federal benefits. It will also aim to establish and sustain Kenya's distinction in science, technology, and innovation generation and management.

In a rapidly changing world where new global challenges affect every country, ST&I is now one of the driving forces in social, cultural, and economic progress and promoting globalization roles that will only intensify in the future. Many of the responses to these changes can be found in ST&I. Such responses are important drivers of economic development, but they also represent new challenges, contributing to a reconfiguration of today's world and, above all, of the future. In this context, the weight of ST&I is increasing in every aspect

³ Mugabe J., 2003: Centers of Excellence in Science and Technology for Africa's Sustainable Development. Towards New Forms of Regional and Sub-Regional Networks. Paper prepared for the African Ministerial Conference on S&T for Development.

⁴ Ibid, (2003).

of contemporary society and, specifically, in the current state of international relations and any given country's international presence and image worldwide. The capacities to generate scientific or technical advances and to innovate or attract talent are essential components of soft power, public diplomacy, and, ultimately, the country's brand.

National bodies, especially in Kenya, that provide scientific advice often do not have a clear focal point in the UN system. However, as scientific and technological issues increasingly dominate global affairs, ways must be found to provide a forum for global consensus-building on scientific issues. The UN's ability to convene States and other actors make it a good candidate for the task. Therefore, these bodies need to refocus on their actions to provide clear and scientifically proven advice on performing their work. Such a forum will not be a substitute for the activities carried out under the various specialized agencies of the UN. Still, it will support and promote cooperation in the work of national academies and other science advisory bodies.

Despite Kenya making some strides, the ST&I is marked by different challenges. There is so much fragmentation of research due to research/knowledge institutions working in silos. The linkages between researchers, innovations, and industry are also weak. This is largely due to the lack of partnerships between the private and public sectors, thus emphasizing the critical role public-private partnerships play. Knowledge sharing and dissemination are weak as most research institutions and individuals are heightened with the fear of intellectual property loss. In the Kenyan context, Research and Development R & (R&D) involves developing, disseminating, transferring, and utilizing ST&I in all national development sectors. The coordination of R&D within the larger national innovation system has been key to realizing a knowledge-based economy.

Macharia argues that today, no country can secure higher levels of scientific advances and technological progress without interacting with its peers and neighbors. The ability of countries and firms to innovate, both in technical and managerial ways, is largely determined by strategic alliances they forge both within their industrial landscape and across sectors. (New Economic Partnership for Africa's Development, Africa's Science, Technology Consolidated Plan of Action).⁵

The government of Kenya recognizes the key role played by ST&I in wealth creation and building the human capital required for the transition to a knowledge-driven economy. Vision 2030 asks to intensify the application

⁵Macharia M., *African Review of Foreign Policy*. (A publication of United States International University, Africa, Nairobi, 2009), pp 48.

of ST&I to improve productivity and efficiency levels in the three pillars of national development.⁶ As a result, the government is implementing the ST&I policy framework through the identification, acquisition, transfer, diffusion, and application of relevant ST&I knowledge.

ST&I will continue to be one of the most sought-after commodities in international affairs. Based on this background, the study notes that the Kenyan economic, legal and societal priorities should ideally help guide the infusion of ST&I into foreign policy decision making. The study further notes that Kenya still faces foreign policy challenges outside the traditional mechanisms for science dialogue. What, for example, are the implications of new technologies, such as biotechnology and artificial intelligence for Kenya and African foreign policies?

Innovation and Foreign Policy in Kenya

To effectively address Kenya's macroeconomic and social challenges and achieve the transformation to a knowledge-based economy, priority sectors in which ST&I will be strategically integrated to create technology platforms for enhanced productivity growth were identified through a consultative process. The Strategic Technology Platforms will be sufficiently broad to support the development of products, processes, and services in a wide range of sectors. At the same time, they will be sufficiently narrow to define a set of competencies that will be developed to achieve global competitiveness.

It is often said that scientific research creates knowledge, and innovation converts knowledge into economic wealth. Kenya's innovation system is linear and does not effectively serve critical national needs. Therefore, the government will adopt an innovation system to ensure that the education and research system, the business system, the intermediate organizations, ST&I infrastructure, and framework conditions in which they operate interact dynamically and respond to national needs. Kenya has had successes in various research fields, particularly in medical and agricultural research. However, the achievements have been based on isolated efforts leading to limited socio-economic impact. The focused implementation of this policy and strategy aims to transform these individual achievements into a dynamic system to enhance federal benefits.

In recent decades since the end of the cold war, economic globalization and explosive growth of Information-Communication-Technology (ICT) have dominated the political and corporate agenda that defines a new paradigm

⁶ Ibid.

where competition and cooperation must coexist amongst most pragmatic societies and nations. This will call for skillful diplomatic maneuvering of different priorities in the future that will have to be based on a sound understanding of the role of S&T in international affairs.

The interconnections of S&T with foreign policy and diplomacy are age-old but have never been more important than in today's globalized, multi-polar world. Many of the defining problems of the 21st century, from basic human security to the concerns of global climate change, from the security of outer space to security in cyberspace, all have scientific and technological dimensions. These are global issues, and no one country will be able to solve these problems independently. The tools, techniques, and tactics of nations' foreign policy must adapt to this changing world of increasing scientific and technical complexity.

Science and technology have a key role in establishing the power-balance dynamics between sovereign nations. It offers alternative channels of engagement among countries with political differences, thus playing an important role in influencing the dynamics of power balance between sovereign nations. Advances in S&T have often relied on the international flow of people and ideas, which is happening now more than ever before. During the cold war, the exchange between scientific organizations and universities was an important conduit for informal discussions on nuclear and other sensitive technology issues.

Establishing and nurturing links between the scientific and foreign policy communities informs scientists and policymakers alike, the former about the realities of policymaking; and the latter about the role and limits of science in policy. Improving the scientific capacity of delegations from all concerned countries has become particularly important, especially for international negotiations on human health and climate policy. This is quite a change, increased economic growth for improved quality of life.

Systems thinking are a leadership and management discipline that concerns an understanding of a system by examining the linkages and interactions between the components that comprise the entirety of that defined system. The entire framework is a system thinking view about the entire organization connected to its surroundings. It gives a method for comprehension, analyzing, and discussing the plan and development of the association as an incorporated, complex creation of numerous interconnected frameworks (human and non-human) that need to cooperate for the entire to work effectively.⁷

⁷ Lars Skyttner. *General Systems Theory: Problems, Perspective, Practice*. World Scientific Publishing Company (2006), p. 17.

Kenya's innovation system is linear and does not effectively serve critical national needs. Therefore, the government will adopt an innovation system to ensure that the education and research system, the business system, the intermediate organizations, ST&I infrastructure, and framework conditions in which they operate interact dynamically and respond to national needs. Kenya has had successes in various research fields, particularly in medical and agricultural research. However, the achievements have been based on isolated efforts leading to limited socio-economic impact. The focused implementation of this policy & strategy aims to transform these individual achievements into a dynamic system to enhance federal benefits. It will also aim to establish and sustain Kenya's distinction in science, technology, and innovation generation and management. For Kenya to realize maximum benefits arising from research, there is a need to adopt a systematic approach to address innovation dynamism in all sectors of the economy by examining their interdependency, interconnections, and interrelations. This will require reforms to encourage access, use, and diffusion of knowledge within business systems.

Conclusion

An effective innovation system is needed for a country to harness the potential offered by modern science and technology to its social and economic advantage. This awareness has replaced an earlier belief that heavy investment in scientific and technological research and the purchase of technology from abroad were sufficient to achieve these goals. In its broadest conception, the national innovation system is the means through which Kenya seeks to acquire, exploit, and diffuse knowledge to achieve individual and collective goals.

THE COMPETITION FOR POWER BETWEEN SAUDI ARABIA AND IRAN DOMINANT REGIONAL INFLUENCE

Lt Col Borivoj Jurenka - Czech Ministry of Defence

Abstract

Saudi Arabia and Iran are the most prominent rivals in the Middle East. Through foreign policies and instruments of power, they aim to eliminate the growth of the counterpart's hostile foreign policy ambitions and achieve regional supremacy. They focus on an adversary by gaining dominance over friendly countries with unstable or weak political leadership in the region. Saudi Arabia seeks (not always successfully) to establish solid strategic ties among Sunni states, forming a sufficient counterweight to Shi'ite military-technological superiority capabilities. Iran tries to downgrade sanctions' impact on society and continues developing its defensive technologies to ensure the survival of the theocratic government and its value frameworks spread over the region. In the context of this power rivalry, the author of this article posed the research question: Can the rivalry between Saudi Arabia and Iran escalate into a direct military conflict? Based on the analyses conducted, the author concludes that although there are huge differences between the two states and they use proxy conflicts and non-state fighters to achieve their goals, and it is unlikely that in the short term (one to two years outlook), both protagonists will resort to direct military conflict.

Introduction

The social and security turbulence caused by the Arab Spring and by the renewed sectarian rivalry between Sunni and Shiite Muslim religious groups shapes the emerging military-political and security environment in the Middle East region. This development, represented by the most crucial state protagonists in the region (Sunni Saudi Arabia and Shi'ite Iran), has grown into direct support for proxy conflicts and crises in other destabilized Middle East countries. Through foreign policies and instruments of power, these Sunni and Shiite regional powers aim to eliminate the growth of hostile ambitions of the opposing parties and achieve regional dominance. Both Saudi Arabia and Iran predominantly use asymmetric warfare to compete. Actors apply tactics, techniques, and procedures not directly against an adversary but through gaining dominance over friendly countries with unstable or weak

political leadership in the region. They want to weaken their rival and become the dominant regional power through these tactics. Both Saudi Arabia and Iran prefer non-state actors to their armies and closed military alliances. These powerful tools assert influence and foreign policy in neighboring countries by influencing internal political developments, thereby increasing their power and shifting the balance of regional power in their favor.^{1 [1]}

Illegitimate arms supplies and extensive logistical support to regimes or opposition forces contribute to the deterioration of the security situation and increase the number of weapons in the Middle East region. This situation is being exploited at the national level by numerous radical groups who want to take advantage of the political skirmishes and power clashes to violently advance their particularist goals, which they are helping to achieve by stirring up religious intolerance. Unfortunately, with continued globalization and the development of military-technical capabilities, the rivalry between Sunnis and Shiites is no longer a regional issue but is increasingly becoming global. This declaration has supported that the world's various global powers use their regional allies to protect and advance their strategic national interests in the region, further exacerbating the animosity between the Sunni and Shia branches of Islam. The developments in the Middle East seem to resemble a return to a bipolar world division, with the Gulf States (Sunni-dominated) on one side, with the U.S. as its strategic partner, and Iran, which finds support in Russia and China, on the other.

In this paper on the rivalry between Saudi Arabia and Iran, the researcher has used theoretical frameworks that help understand and explain these two actors' behavioral patterns. After evaluating the available theories and assessing all the pros and cons, the author of this study decided to use structural realism, constructivism, and foreign policy analysis, whose analytical conclusions best capture the dynamics in the region and the strategies employed by regional actors.

Main Discussion

Saudi Arabia and Iran are the current prominent rivals in the Middle East region. They subordinate all state policy activities to Islamic liturgical texts based on their strict perception of Islam. The most conservative or even orthodox proponent of the Sunni branch of Islam is Saudi Arabia. Its absolutist style of state establishment subordinates all state activities to the Sunni interpretation of the faith. Moreover, the confession and widespread support

¹F. Gregory Gause III, "Beyond Sectarianism: E New Middle East Cold War," accessed August 17, 2021, <https://www.brookings.edu/wp-content/uploads/2016/06/english-pdf-1.pdf>.

for Wahhabism and the presence of holy sites add to Saudi Arabia's sense of its superiority over other Muslim states. With its historical and geographical links to the Islamic faith, this state sees itself as the leader of the global Muslim community. It has long viewed Iran as a heretical apostate. Compared to Saudi Arabia, Iran, with its traditional Shi'a understanding of Islam and relatively democratic state establishment by regional standards, stands on the opposite side of the state establishment.

In light of the earlier collapse of pro-American Sunni regimes and Iran's increasing efforts to position itself as a regional power, Saudi Arabia and its allies need to leave the illusion of American readiness to help and begin actively pursuing their foreign policy toward Iran's rise. To shed its military dependence on the U.S., Saudi Arabia has sought to minimize the frictions among the Sunni parties (not always successfully) by increasing its foreign policy activities. Its goal is to establish long-term and solid strategic ties among Sunni states, forming a sufficient counterweight to Shi'ite military-technological superiority in the Middle East region. One concrete step in such an effort is the long-running accession talks about expanding the Gulf Cooperation Council (GCC)² to include Jordan and Morocco.³ Saudi Arabia sees Jordan as an essential partner that needs protection to maintain security stability in the wake of the domestic upheavals created by the Arab Spring, both for the sake of preserving a stable allied monarchist regime and for its concerns about the possible migration of radical Palestinian refugees coming specifically from a potentially destabilized Jordan in the future (Hamas⁴ supporters).

Similarly, Saudi Arabia is also trying to keep the Moroccan royal regime in power, lest its fall is a social indication of foreshadowing a social change in monarchist Arab regimes. During the Arab Spring, the unrest destabilized mainly countries with republican governmental systems, and the royal monarchies managed the unrest without serious destabilizing effects

² The Gulf Cooperation Council (GCC) is a regional, intergovernmental political and economic association of states established primarily at Saudi Arabia's initiative. Qatar, Saudi Arabia, Bahrain, Kuwait, Oman, and the United Arab Emirates are its current members. It aims to achieve the trade and economy objectives by unifying the various standardisation activities in the Member States to develop the production and service sectors across Gulf Custom Union and Gulf Common Market.

³ Jawad Anani, "Should Jordan Join the GCC? | Jordan Times," accessed August 17, 2021, <http://www.jordantimes.com/opinion/jawad-anani/should-jordan-join-gcc>.

⁴ The acronym Hamas, in Arabic *Ḥarakat al-Muqāwamah al-ʿIslāmiyyah*, or the Islamic Resistance Movement, is a Palestinian Sunni Islamist political party created in 1987. Since its inception, it has structured its organization in two parts. The militant part operates in secret and carries out attacks against Israeli targets. The political wing of the organisation won the elections to the Palestinian National Authority in January 2006. Hamas marked as a terrorist organisation by the European Union since 2003. Hamas is gaining supporters mainly in the socially isolated and poor areas of the Gaza Strip and the West Bank.

threatening their regimes. Even though their current governmental systems suffer from the same problems (e.g., unequal distribution of power, unfreedom, poverty) as the republican set-up in the Middle East countries, This temporary and successful crisis was overcome mainly through the substantial and generous financial injections that the monarchies temporarily pacified society. The Saudis also pay significant attention to Egypt, the most populous Arab country, as a significant player in the GCC regarding the strategic distribution of military power in the region because of its position as a regional military power. The eventual admission of Jordan and Morocco to the GCC and a firm military-political alliance with Egypt would contribute to the emergence of a new Arab power, which undoubtedly reflects a new balance of power and a higher level of armaments throughout the region. However, the realization of this GCC and Egypt's military permanent alliance is out of sight due to persistent disagreements among members.

Despite the primary economic focus of the GCC, there have been talks for a long time among its members about expanding it to include military cooperation. The first step was the Gulf Security Agreement, signed in 2000, addressing cooperation and collective self-defense issues. Member states agreed that external aggression against any member is aggression against all, requiring a range of measures, including using military force. Although several decades have passed since this event, the GCC's concept of a unified defense strategy has not been finalized, including the military doctrines determining the terms of the conduct of military operations. The most severe obstacle to implementing these policies remains the mistrust and inability of the policymakers of the GCC member states to overcome the state-centric perspective.⁵

One of Saudi Arabia's first active military steps toward weakening Shiite influence in the region was the deployment of Saudi troops in Bahrain. The deployment of Saudi military forces in Bahrain on March 14, 2011, prevented the destabilization of the constitutional monarchist regime. It kept Sunni King Hamad ibn Khalifa in power and successfully curbed the emancipatory aspirations of the majority Shia population. The military intervention prevented the possible transmission of anti-regime revolutionary sentiment to the eastern region of Saudi Arabia and, more importantly, had a strategic impact on Bahrain's retention in the GCC.

The deployment of Saudi military forces did not pose a particularly

⁵Zafer Muhammad Alajmi, "Gulf Military Cooperation: Tangible Gains or Limited Results?," accessed August 17, 2021, <https://studies.aljazeera.net/en/dossiers/2015/03/201533164429153675.html>.

significant security threat. The deployment was politically supported by the GCC, with Saudi forces deployed only to protect infrastructure, allowing Bahraini security forces to focus on the protests. The activation of state security forces to protect national interests abroad poses a significant risk to any state system. Increasing casualties permanently damage national stability and pose a severe threat in the long term. Therefore, to protect its strategic interests in maintaining regional dominance, Saudi Arabia has initiated a foreign policy based on indirect military support for the majority Sunni population to gain the upper hand and weaken the political leadership.

The most significant changes in Saudi Arabia's pursuit of strategic national interests to weaken Iran in the region occurred after the death of King Abdullah bin Abdulaziz Al Saud in early 2015. Following the accession of King Salman ibn Abd al-Azz, Crown Prince Mohammed bin Salman (MBS) became the architect of a newly aggressive foreign policy in the Middle East. One of his first actions was to launch an air operation in Yemen known as Operation Decisive Storm. A strong air campaign, lately augmented by a naval blockade, resulted in the launch of ground operations in August 2015 to protect the government of President Abd Rabbuh Mansur Hadi from an uprising by a Shiite Houthi group operating in northern Yemen. Despite considerable technological superiority and U.S. support, the Saudi-led coalition has been unable to break the resistance of the Iranian-backed Houthis. Saudi Arabia's inability to defeat the Houthis culminated in the second half of 2019 when they began using ballistic missiles and drones to attack Saudi Arabia and its infrastructure.⁶ Because some attacks exhibited a technological sophistication that the Houthis do not possess, the U.S. intelligence agencies identified Iran as the mastermind of these attacks. The increasing aggressiveness and sophistication of the attacks across the Middle East led to an airstrike in January 2020 against the Iranian major general and commander of the Quds Force, Qasim Soleimani identified as the Iranian mastermind of Iran's foreign policy in the Middle East.⁷

Other Saudi activities provided indirect military support to the majority Sunni population and its opposition forces after the outbreak of civil unrest in Lebanon, Syria, and Iraq. The main focus has been on Syria, where Saudi foreign policy has aimed to support opposition groups overthrowing the minority Alawite (i.e., essentially Shia) ruling elite. Despite enormous diplomatic, financial, and material efforts, these Saudi foreign policy moves have failed to materialize and have not contributed to weakening Shiite influence in the

⁶Fraihat Ibrahim Fraihat, *Iran and Saudi Arabia* (Edinburgh University Press, 2020).

⁷"Qassem Soleimani | Biography, History, Assassination, & Facts ...," accessed August 21, 2021, <https://www.britannica.com/biography/Qassem-Soleimani>.

Middle East region.

One of the most severe external threats that Saudi Arabia fears is Iran's nuclear ambitions. However, it should be stressed at the beginning that behind Iran's efforts, one should not immediately imagine a military conflict against a Sunni rival but rather Iran's efforts to play the role of a regional power through its military and technical capabilities. The risk of a Shi'ite country mastering nuclear technology and securing self-sufficiency in this area (unless prevented by the international community) threatens Saudi Arabia's regional influence. It puts it on the back foot in terms of prestige, modernity, and technological sophistication. E. Historically, the Saudis have limited their foreign policy in the region to spreading fundamentalist religious propaganda or buying the favor of their "poorer" neighbors in the Middle East. Unfortunately, the new post-revolutionary developments in the Middle East have exposed this foreign policy strategy's inflexibility and low effectiveness. Despite almost unlimited financial possibilities, Saudi Arabia, unlike Qatar or Turkey, has not influenced the regional security situation that it would have expected.

The drive to develop nuclear power helps Saudi Arabia shake off its technical backwardness in the energy sector and raise its national prestige. According to open sources, the regime intends to finance two nuclear power plants there by 2040. The Saudi nuclear program will undoubtedly be wholly dependent on foreign countries compared to the Iranian one, as Saudi Arabia does not have experienced scientific capabilities.⁸ This venture will likely make a very substantial contribution to strengthening economic, security, and political integration within the GCC. Therefore, in the context of the current development of nuclear energy in Iran, it is more than likely that, sooner or later, other Sunni countries in the region will follow suit, as the cost of oil production and demand for this commodity will continue to rise in the future. This development is likely to contribute to rapid nuclearisation and increased tensions in the region.

Although there is no evidence yet of the military portion of Iran's nuclear program, there are indirect indications that Saudi Arabia could: "possess undeclared nuclear facilities; that it has sought or may seek a nuclear security guarantee from a country other than the United States in exchange for energy supplies; and that it has attempted or planned to directly purchase a nuclear weapon and/or delivery system from another state."⁹

⁸ "Nuclear Power in Saudi Arabia," accessed March 2, 2022, <https://world-nuclear.org/information-library/country-profiles/countries-o-s/saudi-arabia.aspx>.

⁹ Mark Fitzpatrick, *Nuclear Programmes in the Middle East: In the Shadow of Iran* (London: International Institute for Strategic Studies, 2008), p 42.

Conclusion

As noted at the beginning, as the main representative of the Shi'ite branch of Islam, together with its likely “democratic” state system, Iran stands at the complete opposite end of both the religious and state system to Sunni Saudi Arabia, with its absolutist monarchy. Although there are incomparable differences between the two states, they are unlikely to escalate into direct military conflict. This trend will continue even assuming that Saudi Arabia and Iran end their rivalry through other countries. National policies and their strategic documents reduce the likelihood of direct conflict. Another argument may be the existence of alliances that discourage Saudi Arabia and Iran from confrontation. Any attempt to launch a direct intervention would have devastating effects on the internal order of the countries and ultimately lead to the transformation of the current regimes.

A direct military confrontation by Saudi Arabia against Iran would have a devastating impact on the country's internal stability. Iran would then activate its long-standing allies throughout the region, which would have a devastating impact on the stability of the entire region. As in the case of Iran, Saudi Arabia would lose its position as a Sunni regional hegemon and protector of Sunni religious values. Given the mistrust and fears of other GCC members of destabilizing their regimes, the extent to which the GCC countries would fulfill their security commitments based on the collective security agreements they have concluded is questionable.

This assertion, however, does not hold at the indirect level, where Iran and Saudi Arabia have been clashing for several years over the acquisition of a dominant role in the region through mutual engagement in proxy conflicts. Despite its increasing international isolation, Iran needs to downgrade sanctions' impact on society and continue developing its defensive technologies to ensure the survival of the theocratic government and its value frameworks. Another equally important objective is sustainable economic growth. Iran needs to continue developing its technology. It is gaining prestige with other states in the region and benefiting from potential buyers who cannot access the technology due to U.S. restrictions.

This advantage favors Iran in its quest to become a regional leader at the expense of consumerist Saudi Arabia. Perhaps this is why Saudi Arabia is exploiting religious differences and warning of the growth of Iranian fundamentalism in the region, thereby gaining the unconditional support of the West and ensuring the protection of its long-unsustainable regime.

The exaggeration of the Iranian threat is further compounded by the false notion of a hegemonic Iran seeking to dominate the Middle East region

through its Shi'ite contemporaries. The ruling Sunni monarchs have long and successfully exploited it as a convenient cover to mask the political inflexibility of their own domestic and foreign policies and stagnant reform processes. This notion relies on the Shi'a minorities and their allies (e.g., Hezbollah¹⁰) who live across the Middle East and form the so-called Shi'a Crescent, stretching from the Gaza Strip through Lebanon, Syria, Iraq, Iran, and Saudi Arabia to Yemen.

11

Although the Sunni regime generalizes and presents the Shiite unrest across the region as a purpose-driven struggle by Iran to upset the current equilibrium and weaken Sunni influence, this claim is misleading and intended to serve its propaganda. The various Shiite insurgencies are distinct and do not show elements of centralized control. The common denominator of Shiite protests in the region is the desire for religious freedom and greater democratization of existing regimes. Quite the opposite situation prevails in Syria, where, on the contrary, the Shiite minority regime is fighting for its survival over the Sunni majority. Despite existing indications that Iran is providing logistical support to the Shia minority, the likelihood of a massive increase in the level of aid or the involvement of allied militant movements in the context of revolutionary unrest is minimal.

The risk of fulfilling Sunni fears of mobilizing Shia minorities and their fellow tribe members in a short time horizon is possible in the event of asymmetric retaliation by Iran in the event of Israeli attacks against its nuclear facilities. In this case, Iran will highly likely take the necessary reciprocal steps, primarily directly against Israel and U.S. bases located in Sunni countries. Concerns about the continuation of Iran's nuclear program have forced the international community to impose a series of economic sanctions on Iran, probably the most painful of which are the boycotts of Iranian oil purchases.

¹⁰ Hezbollah, Arabic Hizb Allāh or the Party of God, is a Shiite political and militant organisation that has been active in Lebanon since 1982. It gained its fame through its military opposition to Israel, especially during the Israeli invasion of Beirut in 1982. Hezbollah is often associated with Iran and its Revolutionary Guards, providing the necessary logistical and military support. Its strategic goal is to make Lebanon an Islamic republic similar to Iran.

¹¹ Mackenzie Tyler and Anthony M. Boone, *Rivalry in the Middle East* (Nova Science Pub Incorporated, 2012).

ORIGINATING FROM COMMON GENES A SHARED VISION OF THE FUTURE

Brig Sumit Mehta - Indian Army

Abstract

India and the African continent have shared geological origins and belong to the global south. The two regions, which are next-door neighbors, have a common past of colonization that was extractive, self-serving, and repressive. As developing regions with a promising demographic dividend and diversity, the two have joined forces on the global stage to raise their voice and convey shared concerns. India has embarked on a growth trajectory, becoming one of the leading economies in the world along with gains comprehensive national power. Africa is set to chart its own growth story as the continent of the 21st century. Indo-African relations have been studied using the framework of constructivist theory, with the article tracing the path of enhanced engagement between the two with a shared vision for the future.

Common Genes

The origins of Africa and the Indian sub-continent can be traced back to some 71 million years ago when these continents together formed the landmass termed Gondwana. The geographical territory which forms the present-day sub-continent broke away and traveled to collide with the Eurasian plate, giving rise to the Himalayas and raising Tibet as the roof of the world.¹

The two geographical spaces have treaded different courses but remain connected as next shore neighbors separated by the Indian Ocean. In a period closer in history, the two went through colonialism, which saw the depletion of resources, oppression, and erosion of culture and practices. The commonality of experience places the two in a position to understand each other's predicament, identify developmental needs, and give them opportunities to participate in one another's growth story as well as raise their voice and concerns on the global stage.

Initial Interaction and Settlers

As sea-farers, there is historical evidence of traders visiting the shores of East Africa from the Indian sub-continent. They engaged in the trade of spices,

¹Gondwana: Ancient Supercontinent from Britannica. Accessed from britannica.com on 28 Aug 2021

textiles, silk, and paper from India and precious metals and ivory from the African continent. People-to-people connections there rubbed each other's cultures and practices, introducing them to respect and diversity.²

During the colonial period, Indians worked on plantations in South Africa from 1860 as indentured laborers.³ They settled on the land, forming one of the earliest Indian diasporas on the continent. Subsequently, more Indians came to East Africa in 1901, but this time as laborers to build the Kenya-Uganda railroad. Once the connectivity was established, some stayed back and were joined by business communities who established business concerns and settled down permanently. Kenya has recognized their contribution and has assimilated them into the nation as the 44th tribe⁴. It speaks of the bond they have achieved.

Indians were active in raising concerns about colonial oppression and practices on the African continent. Mahatma Gandhi, during his stay in South Africa from 1893 to 1913, carried out a movement against the British rulers, initially fighting for the rights of the Indian settlers as their lawyer and later extending it to that of the original inhabitants of the land.⁵ It provided motivation for embryonic African movements. In raising concerns against the apartheid rule in South Africa, India joined in the call for upholding human dignity.⁶

A Vision for Engagement with Africa

Indian engagement with the African continent has lacked focus. Therefore, a lot was spoken of, but there was little to show on the ground to exemplify a healthy and progressive engagement. This underwent a change in 2014. Though embedded in a continuation of the existing policies, a change was brought about in the approach and prioritization with added energy.

“Developing together as equals” can best define the essence of this bilateral partnership with political, economic, and cultural interactions. A’re surging Africa’ and a ‘rising India’ can together fuel South-South Cooperation. The following principles have been enunciated as tenets for India-Africa

² Karmwar Manish. India's Relations with East Africa: A Historical Study. From <https://www.researchgate.net> accessed on 28 Aug 2021

³ Indian Indentured Labour in Natal from <https://www.sahistory.org.za/article> accessed on 28 Aug 2021

⁴ Indians become the 44th tribe of Kenya <https://indianexpress.com/article/research> accessed on 28 Aug 2021

⁵ Mohandas Karamchand Gandhi <https://www.sahistory.org.za/people> accessed on 28 Aug 2021

⁶ Venu Madhav. India's Gift to the Struggle against Apartheid from <https://www.theindiaforum.in/article> accessed on 27 Aug 2021

engagement focused on a supportive and comprehensive approach to capability augmentation.⁷

1. Africa will be prioritized. India will engage with the continent with regularity and with greater commitment.
2. Africa's priorities will guide the engagement. It will focus on the creation of capacity and capability at the grassroots level. The terms and conditions will be designed to suit local conditions to tap the potential with no strings attached for the future.
3. Indian markets will be made increasingly accessible for trade, and Indian industries will be encouraged to invest in Africa.
4. India's digital experience will be harnessed for application in African conditions in the fields of service delivery to the masses, health, education, financial services, and bringing succor to the marginalized.
5. Cooperation in the field of agriculture to improve Africa's output.
6. Jointly, we will work to improve the adverse impacts of climate change.
7. Promote mutual cooperation to combat the scourge of terror and extremism will be promoted. It will also be extended to cyber security and engagements at the UN.
8. Promote freedom of navigation on the seas and cooperation on the eastern shores of Africa as next-shore neighbours.
9. Work to make Africa a region of hope and opportunity for its youth.
10. Work together to provide just representation for the voices of one-third of the world population.

The Importance of Africa

The African continent is rapidly progressing, as exemplified by economic progression, improved educational and health standards, better gender parity indicators, and proliferating surface connectivity. Leadership in Africa has provided increasing political stability, which together is creating favorable conditions for investment and development. India attaches special importance to collaborating with Africa in its march towards progress.

Africa's east coast integrates with the littoral nations around the Indian Ocean, with ten countries along the coastline. The Indian Ocean plays a central role in its sustenance and economic activities. Maritime security thus emerges as a priority area of engagement between India and Africa.

⁷ "Prime Minister's address at Parliament of Uganda during his State Visit to Uganda," Ministry of External Affairs, Government of India, July 25, 2018. Available at <https://mea.gov.in/Speeches-Statements>

Intensified Engagement and African Priorities

Priority to Africa. The establishment of the India-Africa Forum Summit (IAFS) in 2008 signified the planned engagement of India with African nations. Three summits of the forum have been held, and the fourth. India has prioritized Africa and its economic and foreign policy, which is visible from the Heads of State visits that have taken place since 2014.⁸ Twenty-nine visits to African countries at the level of President, Vice President, and Prime Minister have taken place from India, and all 54 African countries have been covered through visits by ministerial delegations. In the last four years, 32 heads of state or government have visited India. India has commenced with the opening of 18 new missions in Africa to translate policies into action.⁹ The process will take the number of resident Indian missions in Africa from 29 to 47 by end of 2022.

Guided by African Priorities. India has approached its development partnership with African countries through capacity building and training under Indian Technical and Economic Cooperation (ITEC), Lines of Credit (LOC), or concessional loans and grants assistance, trade, and investments. Today, India's investments in Africa stand fourth amongst nations engaging the continent and is the largest employer. It has also engaged in capacity building initiatives for local youth. India maintains a consultative approach toward project identification and implementation methodologies, factoring in native desires and sentimentalities. African governments choose ventures in accordance with their stated development requirements to receive the LoCs. It is ensured that the entire process is non-conditional with the intent to augment the developmental process in the host nations.¹⁰ Forty-two percent of India's total LoCs (totaling 11 billion USD) have been granted to African nations (41 countries).

Market and Investment. The Indo-African market and investment trade in the year 2017-18 was marked at 63 billion USD. It has shown a growth of over ten times, increasing from 7 billion USD to 78 billion USD during the period 2001-2014. Total investments from India now amount to 54 billion USD, which places it fourth in terms of investments in the continent.¹¹

⁸ India Africa relations from <https://www.mea.gov.in/Portal/ForeignRelation> accessed on 27 Aug 2021

⁹ "Cabinet approves opening of Missions in Africa to implement commitments of India Africa Forum Summit (IAFS-III)" Press Information Bureau, Government of India, 21 March, 2018. Accessed on 28 Aug 2021 <http://pib.nic.in>

¹⁰ Dipanjan Roy Chaudhury, "India's partnership with Africa is free of conditionalities" Economic Times, 29 May, 2019. Accessed on 28 Aug 2021 from <https://economictimes.indiatimes.com/news>

¹¹ "Remarks by External Affairs Minister at the Africa Day Celebrations at Vibrant Gujarat 2019," Ministry of External Affairs, Government of India, January 19, 2019. Accessed 28 Aug 2021 from <https://www.mea.gov.in>

Agriculture. India has benefited from the green revolution in agriculture. It has acquired creditable experience that can be shared with agriculturists on the African continent. The expertise is termed Triple “A” (Appropriate, Adaptable, and Affordable) technology, which can greatly help farmers with smallholdings. India has been engaged in promoting agribusiness through incubation centers, food-testing laboratories, and soil testing technology.

Engagement in Defense and Security. Military ties between India and African countries are a work in progress. The training of African military officers in military training establishments in India has been the strength of defense ties aimed at capacity building. Joint field exercises started in 2019 in the form of the Africa-India Field Training Exercise (AFINDEX-19). The first was held in India with participation from 17 African countries. It focused on humanitarian mine assistance and peacekeeping operations under Chapter VII of the UN Charter.¹²

India and Africa share an obligation to preserve rule-based international order for the safe and secure passage of maritime trade across the Indian Ocean's SLOCs. The Indian Ocean Rim Association (IORA) and the Indian Ocean Naval Symposium are multinational naval mechanisms initiated with active participation by India that work to develop a closer understanding amongst the navies of the region and foster greater interoperability and a shared awareness of the maritime domain. Naval cooperation has been kept up with planned port calls, exchange of support, intelligence, and patrolling. A naval data center in the form of an Information Fusion Center has been established in New Delhi, which tracks and monitors sea traffic in the Indian Ocean, synchronizes response to untoward incidences, and shares submarine safety information. The Indian Navy has been involved in roles concerning non-traditional threats in the region, with increased missions related to humanitarian assistance and disaster relief over the past decade.¹³

Terrorism. As partners in the security arena, both India and Africa identify terrorism as the prime threat to humankind and progress. Both have experienced radical terrorism and religious extremism on their soil. India and countries from Africa are working towards the finalization and adoption of the Comprehensive Convention on International Terrorism by the UN General Assembly.

In Digital Space. The Pan African e-Network (PAeN) project for tele-education and telemedicine that was launched in 2004 exemplifies India's

¹² “Charter of the United Nations, Chapter VII, available at: <https://www.un.org/en/sections/un-charter>

¹³ “Indian Navy – first Responder to Cyclone ‘IDAI’ in Mozambique 19 March 19” Press Information Bureau, Government of India, New Delhi. Accessed on 28 Aug 2021 from <http://pib.nic.in/newsite>

digital collaboration with Africa. The network is operational in 48 African nations, with its hub located in Senegal. Further, in 2018, India launched a new network project named e-VidyaBharati and e-ArogyaBharati (e-VBAB)¹⁴, which has established two separate web-based portals in the fields of tele-education and telemedicine. M-PESA, Jumia, and Ghana Card are digital innovations¹⁵ in Africa that have been successful. India has been successful with digital initiatives aimed at digital transformation through inclusion and skill development. Effective implementation of these in African countries will benefit economies, skill young Africans, and prepare them for job opportunities. Cyber security has emerged as a vital element in today's digital world, where there is increased collaboration.

Combatting Climate Change. The obligation of India and African nations to take actions to mitigate the negative consequences of climate change can be seen in India's SDG commitments and Africa's Agenda 2063. Green technology is at the core of India and Africa's schemes for climate change. An exemplification of the India-Africa sustainable development partnership is reflected in the India-France-initiated International Solar Alliance (ISA). Within its ambit, India has guaranteed a credit line of \$2 billion USD to Africa for the execution of off-grid solar energy projects in five years' time.¹⁶ African participation in the ISA is marked by the fact that out of 48 signatory nations who ratified the Framework Agreement, 25 are African nations.¹⁷

International Institutions and Global Governance. India and Africa have traditionally worked together in institutions of global governance and multilateral forums. The intent has been to achieve more autonomy and make sure that the issues of importance to the "global South" are given due credence. India maintains that a rules-based multilateral international order is necessary, but it requires improvement to address the realities of the time. PM Modi has advocated 'Reformed Multilateralism' that calls for constructive reforms of the multilateral forums.

¹⁴ Damian Radcliffe, "Mobile in Sub-Saharan Africa: Can world's fastest growing mobile region keep it up?" *ZDNet.com*, October 16, 2018. Accessed on 27 Aug 2021 from <https://www.zdnet.com/article>

¹⁵ Kieron Monks, "M-Pesa: Kenya's mobile money success story turns 10" *Cable News Network*, February 24, 2017. Accessed on 27 Aug 2021 from <https://edition.cnn.com/2017/02/21/africa/mpesa-10thanniversary>

¹⁶ William Brent, "Multi-billion dollar Africa-India partnership aims to eradicate energy poverty" Thomson Reuters Foundation, June 12, 2017. Accessed on 27 Aug 2021 from <http://news.trust.org>

¹⁷ International Solar Alliance, "Countries who have signed and ratified the ISA framework agreement," *Ministry of External Affairs*, Government of India, New Delhi. Accessed on 27 Aug 2021 from <http://isolaralliance.org>

Conclusion

India and Africa have common origins and have traditionally worked together with a common understanding and aspirations. In the last decade, this cooperation has been given greater focus through the sustained and continuous engagement of African countries by India. The requirement to skill the youth and harness the demographic dividend in India and the African continent, coupled with developmental requirements, provides abundant opportunities for growth. The partnership between the two aimed at developing together as equals is the call of the time. Together, a resurgent Africa and a rising India will chart a course towards growth and prosperity.

THE EFFECTS OF THE AMERICA-CHINA TRADE WAR

Col Jagat B Poudel - Nepali Army

Abstract

The United States of America (USA) and the People's Republic of China (PRC) are the two largest economies on the globe that have been interlocked in a trade war since 2018. The growing trade deficit, theft of intellectual property, avoidance of universal rules of trade by China, the spirit of American first, and geopolitical interests are the main causes behind this war. The effects of this trade war have been experienced by the entire world, which will shape the USA's position as a world superpower as well as balance the PRC's rise. The continuation of a trade war can have incredible repercussions on the worldwide trade environment. Both countries must figure out how to contain their monetary differences and keep the world from pushing toward a further downturn.

Introduction

The USA and PRC are the two largest economies on the globe, and Chinese new trade rose swiftly after its accession to the World Trade Organization in 2001, with mutual trade between the USA and PRC amounting to the almost U.S. \$559 billion in 2019.¹ Starting in January 2018, the worldwide economy had seen a progression of trade debates between the PRC and the USA, when the USA government-forced defended duties on enormous private clothes washers just like sun-based cells and modules.² The ensuing counter from the Chinese position prompted an undeniable trade battle between these two best-exchanging nations in the world. As with all trade wars, the PRC fought back and forced solid obligations on American imports. The trade conflict between the USA and PRC has resulted in diverse effects, slowing the global economy and giving rise to new trends in domestic and external economic affairs. The U.S. Vice President, Joe Biden, has been continuing with Trump's policy, and trade relations have been witnessing softening between them.

¹Andrew Mullen, Economy / Global Economy Explainer | US-China relations: is there still a trade war under Joe Biden's presidency? Published: 7:30pm, 23 May, 2021(Updated: 12:02pm, 11 Jun, 2021)

²Lighthizer, R., 2018. President Trump Approves Relief for U.S. Washing Machine and Solar Cell Manufacturers. Washington D.C.: Office of the United States Trade Representative

The History of the US-PRC Trade War

The trade conflict between the United States and the People's Republic of China began on July 6, 2018, when the United States imposed a 25% duty on \$34 billion in Chinese imports, the first in a series of restrictions imposed in 2018. It's constantly rising, with the U.S. and China imposing standard import demands on each other's goods until a central agreement on a phase one financial agreement is reached in mid-December 2019.³

Theoretical Framework

In a restricted sense, a trade war is defined as conflict arising from commercial tariffs that two or more countries impose or seek to impose against each other.

⁴ The trade war might be caused by economic or non-economic factors. In this situation, countries may try to defend their producers, a specific industry, or a group of sectors that formed for economic reasons. The goal of this article is to strategically analyze the mutual maneuvers of the United States and China in the context of the trade war, using game theory tools to examine both countries' decision-making processes. Academic studies on US-China trade relations, causes, and effects are discussed in this manner, followed by a game theory analysis of the US-China trade war.⁵ and a focus on the country's sanctions and counter-sanctions policies.

The Beginning of the Trade War

Throughout his 2016 campaign, Donald Trump promised to reduce import/export irregularities with the PRC. He promised it was arranged in gigantic part on outlandish Chinese trading chips away at, as well as ensured development robbery, obliged advancement moves, a shortfall of market entree for American associations in the PRC, and an unbalanced landmark realized by Beijing's blessings for sustained Chinese associations. The PRC, meanwhile, acknowledged that the United States was striving to limit its mounting influence as a global economic influence.⁶

³ Andrew Mullen, Economy / Global Economy Explainer | US-China relations: is there still a trade war under Joe Biden's presidency? Published: 7:30pm, 23 May, 2021(Updated: 12:02pm, 11 Jun, 2021)

⁴ Kalaycıoğlu, S. Korumacılığın Çirkin Yüzü: Ticaret Savaşları. TASAM: https://tasam.org/trTR/Icerik/45086/korumaciligin_cirkin_yuzu_ticaret_savaslari,

⁵ Liliana Inggrit Wijaya, Zunairoh Zunairoh, Rizky Eriandani, I Made Narsa. "Financial immunity of companies from Indonesian and Exclude quotes On Exclude bibliography On Exclude matches < 5 words Shanghai stock exchange during the US-China trade war" , Heliyon, 2022

⁶ Andrew Mullen, Economy / Global Economy Explainer | US-China relations: is there still a trade war under Joe Biden's presidency? Published: 7:30pm, 23 May, 2021(Updated: 12:02pm, 11 Jun, 2021)

The Current State of US-PRC Trade

Goods trade between the United States and the People's Republic of China (in U.S. dollars)⁷

Year	Export	Imports	Balance
2021	151,065.2	506,366.9	-355,301.7
2020	124,485.4	434,749.0	-310,263.5
2019	106,448.4	450,760.4	-344,312.0
2018	120,281.2	538,514.2	-418,232.9
2017	129,997.2	505,165.1	-375,167.9
2016	115,594.8	462,420.0	-346,825.2
2015	115,873.4	483,201.7	-367,328.3
2014	123,657.2	468,474.9	-344,817.7

(Source: Census.gov Business & Industry Foreign Trade USA-PRC Trade Data, USA International Trade Data as of March 3, 2022.)

With four-year-old forced levies, the USA and PRC saw a precarious decrease in the absolute worth of reciprocal trade streams. The trade balance in the last two decades has always been in favor of the PRC. In 2021, the USA had a trade deficit of \$355,301.7 million.⁸

The Roots of the US-PRC Trade War

Since the PRC's entrance into the World Trade Association in 2001, the PRC has been developing its economy in an extraordinary way and scale, which overwhelms the world economy because of its low creation cost, modest workforce, and low expectations for everyday comforts, to some extent fixing a trade rate with the dollar. The following are important reasons for the ongoing trade conflict between the United States and the People's Republic of China.

Factors related to the Trade War. Solar board and clothes washer imports harming U.S. businesses; steel and aluminum as public safety threats; and unfair trade practices for innovation, intellectual property (I.P.), trade deficit, and trademark execution by Trump in USA Election, 2016 to reduce import/export imbalance with PRC.

The geopolitical interests of the PRC and the United States. The United States regards the quantitative and subjective development of the People's

⁷ Census.gov › Business & Industry › Foreign Trade › U.S. International Trade Data, <https://www.census.gov/foreign-trade/balance/c5700.html>.

⁸ Census.gov › Business & Industry › Foreign Trade › U.S. International Trade Data, <https://www.census.gov/foreign-trade/balance/c5700.html>. (Accessed on 3/3/2022)

Republic of China's force as the critical test of the twenty-first century, which triggered the sharp financial rivalry with the PRC.

America's First Policy. As per Trump's strategy of 'America First,' import duties were introduced to make USA-made products cheaper than imported ones.

Monetary Dominance and the U.S. Dollar. Since 2017, the PRC's GDP has consistently outperformed the U.S. in terms of Purchasing Power Parity⁹, and the Renminbi's importance in global trade and trade has been steadily rising. The quantity of PRC infrastructure plans such as the Belt and Road Initiative, Asian Infrastructure Investment Bank, and Made in China 2025¹⁰, which draw/powers utilizing Yuan and E-cash, continues to undermine the syndication of the U.S. Dollar.

Technological Supremacy. The sale of Huawei and less use of Google and Facebook in Russia and Brazil are threatening the existing dominance of U.S. firms in the digital space as a manifestation of conflicts in maintaining technological Supremacy.

President Joe Biden and the Trade War

Joe Biden affirmed he would not make any "quick moves" to lift taxes the Trump organization had forced on imports of Chinese products before a full survey of the current stage of the economic accord and interviews with USA partners.¹¹ Biden appears to be focusing on "PRC's harmful activities," which include "taking licensed innovation, unloading items, unlawful sponsorships to partnerships," and constrained innovation moves. The Biden organization is planning a "thorough survey" of the PRC's trade strategy, which will include how to move toward Trump's stage one economic agreement with Beijing, which will expire at the end of 2021.¹²

Effects of the Trade War on the World Order

The PRC-USA trade war is an instrument for the competition between the world's most noteworthy financial forces, the USA and PRC. The result of these two monetary lines will shape the USA's position as a world superpower. Indeed, a few specialists have suggested that the reciprocal clash may ultimately advance into another Cold War in this way, risking the dependability of the

⁹ <https://statisticstimes.com/economy/united-states-vs-china-economy.php>

¹⁰ en.wikipedia.org

¹¹ Ibid

¹² Ibid.

worldwide political and financial climate.¹³

Impact on the Chinese economy. The Chinese economy saw a progression of ruins and felt constrained to double the value of government-supported foundation projects to \$107.8 million, up from \$52.8 million, and to present \$300 million worth of tax reductions.¹⁴ It could push the PRC's central goal of progressing toward cutting-edge enterprises, with its "Made in China 2025" plan aiming to increase assembling strength in areas such as mechanical technology and electric vehicles.

Impact on the USA. The U.S. labor market saw positive elements, with 6.4 million positions added since 2017, while the unemployment rate fell to 3.5 percent, its lowest level since 1969, and the import/export imbalance with the PRC was limited to USD 16 million, the smallest since March 2009.¹⁵

Effects on the Global Economy. This trade war has disintegrated global trade volume and global monetary development and soundness; induced a shield public economy, prompting the arrival of protectionism and the ascension of libertarian, patriot, and anti-globalization waves; a vulnerability in the world's large scale economy; irregularity and caused by the trade war.¹⁶

SWIFT Banking System Threat. To counters the threat of the USA's imposed trade sanctions, Russia and the PRC started their alternative to the USA's dollar-based global SWIFT banking system. Due to Trump's unpredictable acts and prevailing economic uncertainty, more and more banks may join the alternate SWIFT banking system, thus reducing economic dominance.¹⁷

A Threat to Existing Global Systems. The tariff hikes and threats initiated by Trump's administration are applied outside the WTO, and the bilateral negotiations threaten the existence of well-accepted global systems and may even impact the condition of European companies in third markets.¹⁸

Increased Exports from Third Countries. Third-country exports to the U.S. and PRC from East Asian countries, Mexico, and Canada would rise.

Effects on Peace, Security, and Stability in the World. This trade war has created a global recession and economic turmoil around the world, escalating USA-PRC tension in diplomatic relations and on the issue of the South PRC Sea as well. If two countries are unable to come to a trade agreement, it can further escalate the cold war, affecting the peace, security, and stability of the

¹³ Chong, T. T.-I., & Li, X. (2019). Understanding China-US Trade War: Causes, Economic Impact, and the Worst-Case Scenario. Hong Kong: Lau Chor Tak Institute of Global Economics and Finance.

¹⁴ Ben Holland and Cedric Sam May 28, 2019A \$600 Billion Bill: Counting the Global Cost of the U.S.-China Trade War

¹⁵ Ibid.

¹⁶ IMF, 2019, Escalating U.S.-China Trade War Would Hit Manufacturing, Agricultural Jobs. Euronews.

¹⁷ Karnani, C., 2019, Asian Metals Market Update. Insignia Consultant.

¹⁸ Jakóbsowski, J. 2018. The US-China trade dispute: phase two. (A. Eberhardt, Ed.) 276, 1-6.

world.

For the first time since WW II, the USA faces a strategic competitor that possesses both economic and military capabilities on par with the USA's capabilities. The influence and control of the USA across the world are now shaking and loosening. The challenge for the USA is to balance the PRC's rise while contributing to regional stability. The trade war is one of the means that the USA is adopting to contain the Chinese status quo, thus contributing to heightened USA-PRC economic conflict.¹⁹

The Way Forward

The impact of the trade war has an undesirable effect on the conflicting parties and the greater world. Thus, the following is recommended. Unfair trade practices by the PRC should be settled by dialogue between the two countries with the mediation of the WTO. They understand and realize their deeply interconnected, dependent, and globalized economies, their consequences, and their role in saving the global economy from disaster. The U.S. should not withdraw from or act against the international financial/trading institutions and allies such as the WTO, the IMF, and the Trans-Pacific Partnership. Instead, it should continue to establish them as a global tool for maintaining a stable economic order. Activities like the transfer of U.S. high technology and theft of I.P. by Chinese companies have to be controlled. The PRC should restructure the field of intellectual property rights by combining internal and external actions, learning from the practices of other countries, and then responding to one-sided trade shield acts in accordance with transnational rulebooks.

¹⁹ Jennifer Rudolph Michael Szonyi, 2018. *The China Questions Critical Insights into a Rising Power*

ENHANCING KENYA'S DIPLOMACY AND IMAGE THROUGH SPORTS

Col Paul K Koech, Ogw, 'Psc' (K) - Kenya Army (K)

Abstract

Diplomacy is an important tool that countries use to promote their images and enhance their national interests. Most countries in the world reap huge benefits by deploying some of their best citizens to these prestigious diplomatic positions. Kenya has been deploying both career and non-career diplomats with mixed outcomes. Some non-career diplomats have done extremely well, particularly in peace negotiations involving our neighboring countries. They include former vice president Mr. Kalonzo Musyoka and Lieutenant General (Retired) Lazarus Sumbeiywo, who mediated Sudan and South Sudan's peace process, leading to the independence of South Sudan. Lieutenant General (Retired) Daniel Opande, who took part in the negotiations of the peace processes in Liberia and Sierra Leone, not forgetting our cultural goodwill ambassadors who have excelled in sports activities. They include Lieutenant Colonel Paul Tergat, a UN World Food Programme (WFP) "Ambassador against Hunger." Tecla Lorupe, Peace ambassador Eliud Kipchoge, Tourism ambassador Kenya's interests globally require a balanced mix of career and career diplomats to articulate and promote Kenya's interests globally. This journal seeks to answer the question: of how Kenya can leverage her cultural diplomacy pillar to enhance and promote her geopolitical and geo-economic interests using a mix of both career and non-career diplomats.

Introduction

The role of Diplomacy is to manage the interactions among states and between states and other players or actors in the international arena. Considering the perspective of the state, Diplomacy entails formulating and implementing a country's foreign policy. It, therefore, implies that Diplomacy is the roadmap through which states, through their formal or informal representatives, together with other players or actors, promote, coordinate, and secure specific or wider interests. They do this via correspondence, private talks, views exchanged, lobbying, visits, threats, and other similar activities.¹

It is often assumed that the conduct of Diplomacy entails the employment of

¹Barston R P, Modern Diplomacy. Dorling Kindersley, India, (1998) p 1.

peaceful activities. Diplomacy may, however, take place within a war or armed conflict environment. It may be exercised in the execution of specific acts of violence. These acts may include obtaining airspace clearance for offensive air support operations. The thin line between diplomatic action and aggression is among the current developments characterizing modern diplomacy.²

Theoretical Framework

The best theory to anchor in this journal is Realism, whose proponents include: Thucydides, Machiavelli, Thomas Hobbes, Hans Morgenthau, E. H. Carr, Kenneth Waltz, and Robert Gilpin, among others. The key assumptions of this theory encompass the fact that human beings engage one another as members of a group and that international relations take place in a state of anarchy and are conflictual. Also, power is driven by international politics, which is state-centric, and states are the key actors. States are rational actors pursuing their own self-interests or national interests defined in terms of power. Diplomats equally undertake their diplomatic duties in pursuance of the national interests of their countries.

Kenya, like all other countries in the world, pursues its diplomatic obligations through its foreign policy. The foreign policy is geared towards enhancing the sovereignty of Kenya. The policy is also aimed at promoting global peace by fostering good working relations, first with her neighbors, secondly regionally within the African continent, and finally with the rest of the world.³ Kenya's foreign policy is anchored on five (5) interrelated pillars of Diplomacy, as follows: the economic pillar, the environmental pillar, the peace pillar, and lastly, the cultural and diaspora pillar. The main purpose of the economic diplomacy pillar is to ensure the attainment of a positive trajectory of sustained economic growth. The envisaged growth will transform as well as raise Kenya's social and economic development and prosperity in line with the objectives and aspirations of Vision 2030.⁴ The peace diplomacy pillar aspires to leverage Kenya's successes in promoting tranquillity, peace, and stability. It also aims at establishing an enabling environment for development and prosperity in neighboring countries, the African continent, and the world at large. The environmental diplomacy pillar appreciates Kenya's substantial interest pertaining to the sustainable exploitation of its own natural resources. This aspect extends to the East Africa Sub-region, the region of Africa, and the rest of the world. As pertains to the cultural diplomacy pillar, its objective is to

² Ibid.

³ Kenya's Foreign Policy (2014) p 27.

⁴ Ibid.

utilize culture as an instrument of international relations. This is propagated by making use of our rich cultural heritage and endowments as the springboard of our international relations. Finally, the diaspora diplomacy pillar appreciates the relevance of pooling the multiplicity of skills and expertise of Kenyans living abroad. This involves facilitating their integration into the national development agenda.⁵

The Cultural Diplomacy Pillar

Kenya is endowed with immense potential for cultural heritage spanning the entire country. This huge cultural potential can be exploited for the purpose of the development of the country. Kenya has always prioritized and elevated the relevance of culture as the basis for discussion in the national arena. By embracing cultural activities throughout the various Kenyan nations, the nation's unity in diversity is best manifested. Kenya's cultural diplomacy endeavors to increase awareness, particularly of her cultural richness and the benefits inherent therein, to spur renewed conscience in the country's cultural heritage.⁶

The objectives of the cultural pillar include:

1. Recognition and respect of cultural diversity and heritage.
2. Enhance and nurture cultural exchanges and partnerships.
3. We encourage and promote worldwide intercultural discourse.
4. Participate in and encourage art and sports diplomacy by appreciating the critical role played by all the stakeholders: the artists, the athletes, and other sportsmen and women.
5. Champion recognition of Kiswahili as a regional and international language as well.

Kenya has participated in various sporting activities since independence, and its performance has been improving tremendously. The levels of participation have been at the national and military game levels. These sports activities range from athletics, rugby, football, handball, hockey, and basketball, among others. Kenya has excelled extremely well, particularly in athletics and rugby. The 3rd Olympic Games, which ended on August 8, 2021, in Tokyo, Japan, were a huge success for Kenya despite the many challenges experienced. The management of sports in Kenya is done through the Ministry of Sports. The ministry executes this mandate through registered agencies such as Athletics Kenya and

⁵ Ibid.

⁶ Kenya's Foreign Policy (2014) p 28.

the National Olympic Committee for track and field events. Athletics Kenya has affiliates as follows:

1. Athletics Kenya, Defence Forces.
2. Athletics Kenya, National Police Service.
3. Athletics, Kenya Prisons Service.
4. Kenya Universities Athletics

Other sports have their own coordinating bodies, such as the Rugby Union for Rugby sports.

‘Military games’ performance

Military games take place at two levels. The East African Community (EAC) level and the World Military Games level. The last EAC military games took place in Nairobi, Kenya, from August 11–26, 2019, while the world military games were held in Wuhan, China, in September 2019. A total of one hundred and ten (110) countries took part. Kenya was among the countries that took part and were ranked twenty (20), the second in Africa after Egypt. The final results are as shown below:

Country	Gold	Silver	Bronze	Total	World Position
CHINA	133	64	42	239	1
RUSSIA	51	53	57	161	2
BRAZIL	21	31	36	88	3
FRANCE	13	20	24	57	4
POLAND	11	15	34	60	5
EGYPT	2	2	5	9	19
KENYA	2	1	2	5	20

The 32nd Olympics Summary Performance

Kenya's performance in the just-concluded “2020 Olympics”, as it was supposed to have been held during that year, but it was moved to this year in 2021 because of the outbreak of the Coronavirus disease (Covid 19), was exemplary. Kenya's prowess was demonstrated on Sunday, August 8, 2021, during the final days of the 32nd Olympic Games. The Tokyo planners and organizers surmounted immense odds, such as the upsurge of coronavirus cases and rising resistance to the hosting of the Tokyo Olympic Games by the city inhabitants because of the fear of the spread of the disease. Outside the venue, there was a sizeable number of silent supporters who were against the staging of the Olympics outside the Tokyo National Stadium. The hosting of the games for a period

of two weeks cost fifteen point four (\$15.4) billion dollars (approximately one point six (1.6) trillion Kenya shillings). In the end, the United States of America (USA) led the world, followed by China, Japan, and Kenya, which were ranked number nineteen in the world.

On the African continent, Kenya was the best African nation, maintaining the nineteenth position globally. The total medals won were ten (10), segregated as follows: four gold, four silver, and two bronze. The medals were all won in the athletics events, which are Kenya's specialty. The winners were as follows: Faith Chepngetich Kipyegon (1,500m), Emmanuel Korir (800 meters), together with their marathon counterparts, Eliud Kipchoge and Peres Jepchirchir. Ferguson Rotich (800m), Hellen Obiri (5,000m), Timothy Cheruiyot (1,500m), and Brigid Kosgei (1,500m) won silver medals. Hyvin Kiyeng and Benjamin Kigen, both in the 3,000 m steeplechase. The overall table standings were as indicated below:

Country	Gold	Silver	Bronze	Total	World Position
USA	39	41	33	113	1
CHINA	38	32	18	88	2
JAPAN	27	14	17	58	3
UK	22	21	22	65	4
RUSSIA	20	28	23	71	5
AUSTRALIA	17	7	22	46	6
KENYA	4	4	2	10	19

Kenya's dominance in the middle and long-distance races was shuttered, and this trend equally affected the USA and Jamaica in short-distance races. Kenya had never lost a three thousand (3,000) meter steeplechase for as long as we can remember. Other races in which we did not fare well include both the 5,000 and 10,000-meter races for men and women.

WJC 2021 IAAF World Athletics Under 20 Championships

The subject competition took place in Kenya – Kasarani, Nairobi, from 16–22 August 2021. The event was successfully organized for the first time in Africa. Kenya defended its position in the world that it managed to win in Tampere, Finland, in 2018 with eleven medals. This time with an improved medal tally of sixteen medals, as shown below:

Country	Gold	Silver	Bronze	Total	World Position
KENYA	8	1	7	16	1
FINLAND	4	1	0	5	2
NIGERIA	4	0	3	7	3
ETHIOPIA	3	7	2	12	4
JAMAICA	3	6	2	11	5
SOUTH AFRICA	3	2	4	9	6
BOTSWANA	3	1	0	4	7

Recognition

Due to their sterling performances in the various disciplines, the following athletes have been recognized and appointed goodwill ambassadors. Lieutenant Colonel Paul Tergat, a UN World Food Programme (WFP) “*Ambassador against Hunger.*” Tecla Lorupe, *Peace Ambassador* Eliud Kipchoge, *Tourism Ambassador.*

Conclusion

The Sunday, August 8, 2021, Olympic climax remains one of the biggest sports events in history. Eliud Kipchoge once more proved his dominance by winning the gold for Kenya in the men's marathon, which was the last event in the athletics category. The USA led the world by edging China at the top of the medals table to take position one. They won a total of thirty-nine (39) gold medals, just one ahead of China. The games were characterized by low spectator support as they were conducted in Tokyo and other outlying cities of Japan, which were placed under a state of emergency due to COVID-19 infections reaching new alarming records. The World Junior Championships were also a success for Kenya. The Kenyan team maintained its world-leading position. All these events continue to enhance Kenya's Diplomacy through participation in sports activities.

Part 2

SECURITY

PRIVATE SECURITY SECTOR IN EAST AFRICA REGION: A CASE STUDY OF KENYA

Mr. Alfred Angengo – Kenya Police Service

Abstract

This paper seeks to examine the private security sector in East Africa Region. Due to increased demand for private security and an insufficient number of state law enforcement officers to provide adequate protection to all residents, private security has grown and developed throughout East Africa, particularly in Kenya. In most cases, private security is regarded as crime prevention. As such, they are involved in the normal efforts of maintaining law and order, apprehension of offenders and preventing and detecting crime within the assigned areas of their clients. Therefore, it can be said that private security has been undertaking tasks similar to that of conventional policing authorities. In this sense, private security has been meeting the needs and demands of its clients, who are willing and able to pay for their security services. In Kenya, therefore, Private security forms a critical part of the country's security setup. The increase in crime and rise in terrorism attacks, in particular, has led to the increasing use of private security in Kenya, particularly in key social institutions like schools, churches, supermarkets, and many other state and non-state organizations. Therefore, private security in Kenya has improved security in Kenya and East Africa at large. It was guided by the following questions: (i) what factors have led to increased private security guards in Kenya? (ii) What are the role and impacts of private security guards on crime prevention in Kenya?

Introduction

Private security can be defined as services offered to clients by non-State agencies. The growth of private security in most parts of Africa has been propelled by increased investments in industries by private firms, therefore, requiring security services to protect their properties. It is also not practical for the government security officers to be deployed to every citizen in their homes and protect their properties and, therefore, a fertile ground for private security services. The provision of security to the citizens and their properties is one of the vital functions of any government. It, therefore, needs for partnership between the private sector and the government to provide adequate security.

Since security has a strong impact on the economy and individual life,

throughout history, society has been concerned with security on both an individual and communal level. Security is defined by Wairagu, Kamenju, and Singo (2004: 29) as “freedom from hazard” or “liberty from fear or dread” and relates to a sense of protection and virtual comfort in socio-economic, political, legal, and cultural interactions. Attempts to offer such security have evolved throughout time, reflecting shifting circumstances and human subsistence requirements.¹

Private Security Sector in East Africa Region; a Case Study of Kenya

The emergence of private security in Kenya has been influenced by inadequate numbers of police officers recruited by the government. This is partly due to budget constraints and priorities. This was most common in the late 1980s and continued through the 1990s. The economic decline had affected Kenya and the rest of Africa, resulting in drastic cuts in State expenditure and investments to meet donor expectations, such as the Structural Adjustment Program imposed by the International Monetary Fund. Thus, most State corporations were privatized, and administrative roles were reorganized to cut spending due to their inability to provide essential services and sustain their operations. This pushed most unemployed citizens into crime and illegal activities to survive. It also increased the fear of crime, necessitating the emergence and growth of Kenya’s private security industry. Simultaneously, the country was characterized by rampant corruption, mismanagement of public funds and assets, and failure to provide employment opportunities to the growing pool of unemployed youth who were a risk factor for insecurity.

Rising crime rates and a general sense of fear have become hallmarks of living in the country. According to the United Nations, Nairobi is one of the cities with growing crime rates, and insecurity harms tourism, foreign investment, and economic growth. A growing number of private security businesses have developed due to escalating levels of violence and crime, as well as a lack of faith and trust in the official police service.

Since police officers cannot be deployed to every citizen’s home and in every business premises in the country, people have bonded together in various ways to ensure their protection. The rise of private security organizations is one part of this notion of safety and protection; another is the emergence of various types of neighborhood watches or vigilante groups. While the rich may afford to engage in private security services, most individuals must rely on more

¹ Wairagu, F., Kamenju, J. and Singo, M. Private security in Kenya. Nairobi: Security Research and Information Centre. (2004: 29)

informal security measures. In the face of growing violence and a low police presence in Nairobi's lower-class estates and informal settlements, vigilante organizations have emerged to provide security.

The increased prevalence of crime and the impractical nature of sending police officers to every person in the country for security and protection are the primary factors driving Kenya's private security sector today. Following the 1998 attack on the US embassy and the hotel bombing and failed missile attack on an Israeli airliner in Mombasa in 2002, and the recent attacks at the West Gate and Dusit malls, fear of international terrorism has increased the demand for security services, particularly among international clients. Stavrou, A. (2002).² As per the US State Department, Nairobi is ranked high regarding crime and terrorist attacks. According to key participants, since the Westgate incident, many new security companies have been founded by local entrepreneurs and retired military and police officers. The urge to hire private security has increased recently, and many private security firms have increased revenue income following contracts they receive from home and property owners. Private security firms continue to make tremendous contributions in Kenya. The notable contributions in the sector are crime prevention, creation of employment opportunities, supporting community policing programs, prevention of terrorism, technological advancement; regional expansion; shaping behavior; and human civilization.

The private security industry is viewed as an institution that participates in crime prevention initiatives and plays an important role in crime reduction and maintaining law and order in society. This is because private security frequently performs nearly identical activities to those performed by the traditional law enforcement sector. Private security is perceived as meeting the demands of willing clients, and they operate in areas where the government has never had or claimed an effective monopoly.³ As a result, the purpose of private security is to protect client property and reduce risk, rather than to prosecute, convict, or punish. Private security actors view crime as a threat to business margins, and the law is viewed as a resource to be handled to avoid negative publicity and minimize financial risk. People who have access to and are prepared to pay for security services are turning to private security to secure their safety and the safety of their families and properties due to rising insecurity. Private security firms have stepped in to fill the void that the regular police have not covered. Prevention of crime is not solely the job of the national police service;

² Kimosop, D., "Labour Turnover In Private Security Firms In Kenya: A Case Study Of Future Force Security Firm" (University of Nairobi, Kenya, 2007)

³ Gumedze, S. The Private Security Sector In Africa. (Tshwane, Pretoria: ISS, 2017)

everyone has a responsibility to ensure that they play their respective roles in crime prevention.

The 2010 United Nations Guidelines for the Prevention of Crime are a set of guidelines developed by the United Nations. The guidelines offered advisory that the State and the private security organizations should work closely with one another to prevent crime. In this sense, private security service providers are one of the key players in the corporate security sector. This was also indicated in the note by the Secretariat on civilian private security services. This proves that private security service providers have a noble role in crime prevention and community safety.

Citizens exercising self-security should put measures to protect themselves and their properties against potential harm and risks by contracting private security service providers at their own will and cost. This proves that citizens have a right to hire or contract private security service providers to meet their specialized security needs. It further proves that personal security is not entirely the State's duty but a collective responsibility involving several stakeholders, including private citizens. Private security is one of the consequences of individuals' right to make choices concerning their safety. Schreier, F., and Caparini, M. (2005).⁴

Secondly, private security has played a big role in shaping behaviors. Private security service providers have also been portrayed as potential guardians by private security actors, who opined that Private Security has the overall responsibility of controlling behavior within a specific location such as a business establishment or public space with authority from the client. The presence of private security guards in potential targets has played a role in target hardening and, therefore, reduced crime cases.

Additionally, it has created employment opportunities for Kenyans. The private security sector is a key source of employment in Kenya, as Wairagu, Kamenju, and Singo (2004: 14) stated. Because the State did not regulate the security sector before 2017, precise statistics on the number of security firms are difficult. On the other hand, Kenya's private security industry estimates that there are over 400,000 private security guards and 3,000 security firms in the country. Given the country's high social dependency ratios, the industry is also expected to provide indirect support to about 200,000 families.⁵

The private security business has turned into a major industry since it

⁴Schreier, F., and Caparini, M. Privatizing security: Law, practice and governance of private military and security companies. Occasional Paper No. 6. Geneva: Centre for the Democratic Control of Armed Forces (DCAF). (2005).

⁵Diphoorn, T "Surveillance of the Surveillers": Regulation of the Private Security Industry in South Africa and for Security, *Journal of Contemporary African Studies*, 25:3, 391-416, DOI:

employs many people, both trained and unskilled, to fulfill the rising demand of the corporate sector. The projected expansion of the sector will result in many employment openings. Security guards make up about 90% of the private security industry's employees; they are at the bottom of the food chain, with little or no relevant expertise. The private security services industry is largely unorganized, with organized security services employing only about 10% of the workforce.

In addition, private security has greatly contributed to the development of community policing in Kenya. Private security governance has evolved at a breakneck pace. They are now in a better position to assist in the development and implementation of community policing programs due to this evolution. Regardless of the sensitivity of the information, they gather at the grassroots level. Private security officers have traditionally been given low status. Having a positive attitude towards private security guards will improve the relationship between the private security sector and police and improve the flow of information in dealing with crime.

Even though Private Security Companies in Kenya have not been allowed to carry firearms during the course of their duties, their presence at the clients' premises has deterred away criminals. They have better-equipped vehicles and are trained in self-defense skills, among other important basic and advanced techniques in crime prevention and management. Private security firms can train their security guards to protect against non-physical threats like computer networks.

In Kenya, private security has also aided in the prevention of terrorism. After the terror attack at Nairobi's cooperative house in 1998, people's perceptions and actions on safety and security issues changed. (Ngugi, Kimani. Omondi. Wanyama & Fatuma. 2004:8)⁶. Private security personnel has an important role in preventing and responding to major crises, such as terrorist attacks. Before any attack, private security personnel gives the 'eyes, ears, and hands and the ability to be first responders following any security-related incident, necessitating the sector strengthening for greater service delivery.

By observing suspicious behavior and unusual objects, private security guards provide a deterrent through their presence, maintaining checkpoints, conducting body search and luggage screening, and operating CCTV camera rooms for wide-area observation to detect irregular movements and activities within and around the premises they guard.

⁶ Ngugi, R.W., Kimani, Y., Omondi, E., Wanyama, S. and Fatuma, A. (2004). Security risk and private sector growth in Kenya: A Survey Report, Nairobi; Kenya Institute for Public Policy Research and Analysis. 2004:8 .

Kenya's technological advancement has tremendously aided the growth of private security. Abrahamsen and Williams (2005: 57)⁷ emphasized the concept that there is a move toward larger, more business-oriented, and professionally managed firms, which will have a substantial influence on the industry's growth and services, particularly through the establishment of economies of scale and increased access to finance. There is also broad consensus that the highest echelon of Kenya's security industry is fast shifting toward technology solutions and that alerted response services, rather than conventional manned guards, may probably become the norm in the future. Access control, video surveillance, and drone technology are just a few examples.

Access control, such as a system that regulates the entry and exit of people, vehicles, and goods, has aided the growth of private security. Employees can now enter and depart buildings using their phones, cards, key chains, or passcodes, a novel feature of Access Control. Access control is also useful for keeping track of when one's busiest periods are and who enters and exits the building. Some security guards use drones to patrol difficult terrains, such as electrical lines, risky construction sites, and crowded metropolitan areas.

These vast areas used to take hours to sweep and inspect; now, drones are speeding up the process and safely taking live footage. Although remote video surveillance has been for some time, observing monitored regions on numerous devices, including phones, is relatively new. It's easier to monitor numerous sites at once and on the go with remote video surveillance.

The finest thing about new technology, in the end, is a new insight. Thanks to video surveillance analytics, online guard reporting, and digital tracking, security flaws are easier to spot. This enables more proactive security, methods, and faster vulnerability identification.⁸

Electronic article surveillance is also used by private security firms (EAS) to detect fraudulent activities. This technology often employs magnetic, VHF/microwave or barcode sensor are two options. EAS is a security system that creates a detection or surveillance field using electronic sensors and detectors. Electronic sensors, often known as labels or hard tags, are directly affixed to objects or assets. When the object passes through the surveillance zone, the detector will sound an alarm if the label or tag is not correctly removed. Previously, EAS devices were primarily employed to prevent item theft in retail enterprises. EAS systems can now be found in libraries, long-term care or assisted living institutions, and pediatric wards in hospitals, where assets

⁷ Abrahamsen, R. and Williams, M. *The globalization of private security. Country report: Sierra Leone*. Aberystwyth: Department of International Politics, University of Wales at Aberystwyth. (2005: 57)

⁸ Prenzler, R. Sarre and T., *Private Security and Public Interest: Exploring Private Security Trends and Directions for Reform in the New Era of Plural Policing*. (ARC Report, 2011)

must be protected from theft.

Radiofrequency identification (RFID) is another technique that has lately acquired traction in Kenya's private security market (RFID). Retailers have been cutting edge of this technology, employing RFID to detect fraudulent activity. On the other hand, RFID technology enables more than just retail theft protection. Products may be tracked from the raw material stage to manufacturing and production and the end-user. RFID technology, as a result, delivers real-time data that may assist increase efficiency and production while also protecting assets from theft or damage.

Private security firms have gained space in the international system. Some security firms registered in Kenya can be found operating subsidiaries within the region towns of the East African community countries. The sector's early establishment and expansion in Kenya have provided firms a competitive edge over other countries where the private security industry is currently developing, such as Uganda, Tanzania, and Rwanda. (Abrahamsen & Williams, 2005: 56)⁹. KK Security remains one of the biggest in East Africa, with offices and human resources in Rwanda, Uganda, Tanzania, and Congo DRC, where KK Security controls about half of the alarm manufacturing market in Kigali, Rwanda's capital. The Security Group has offices in Ethiopia, Tanzania, and Uganda and has a strong regional presence.

In the same way, Ultimate Security has offices in Uganda and Tanzania, while Securex has offices in Uganda. (Ngugi et al., 2004: 53).¹⁰ KK Security is now the only Kenyan company operating in eastern DRC's Goma and Bukavu. If private security organizations can diversify their services and products, they have a good chance of becoming multinational institutions. This is an area that necessitates further investigation.

Finally, private security has greatly contributed to the human civilization in Kenya. Before outlining security, it is essential to analyze the need and the importance of security to human civilization. This redirects us to Maslow's hierarchy of needs, a theory advanced by Sir Abraham Maslow in 1943. According to this theory, as human beings meet the most basic needs, they tend to have an insatiable desire to satisfy higher needs concerning the hierarchy of needs. The most important need at the base of the hierarchy includes physiological needs such as food, water, and shelter. The second most important category is security, which includes having a safe and secure

⁹ Abrahamsen, R. and Williams, M. *The globalization of private security. Country report: Sierra Leone*. Aberystwyth: Department of International Politics, University of Wales at Aberystwyth. 2005: 56) .

¹⁰ Ngugi, R.W., Kimani, Y., Omondi, E., Wanyama, S. and Fatuma, A. (2004). Security risk and private sector growth in Kenya: A Survey Report, Nairobi; Kenya Institute for Public Policy Research and Analysis. 2004: 53

environment. The private and public security industry concept aims to meet and actualize this need. This outscores the importance of safety and security in human civilization.

Security is associated with a sense of being free from fear of harm, injury, theft of property, or any planned activity that may disrupt orderliness in society. Multinational investors would not invest in an environment where they feel insecure, and likewise, the tourist sector is also affected by increased crime rates. Therefore, it is applauded that the private security sector is filling the gap and playing a role in the provision of security. Notably in Crime prevention, job creation, community policing, technological advancement, and regional integration.

COUNTERING CYBER TERRORISM: THE CASE OF KENYA

Col Joseph D Mokwena 'psc' (K) – Kenya Army

Abstract

The 21st century continues to be a significant time that has led to the advancement of technology and the rise of new security threats. In this case, the advancement of technology has been intertwined with terrorism in cyber-terrorism. The article focuses on the nature and cause of cyber-terrorism threats in Africa, the military's role in countering cyber terrorism and implications to national security in Kenya and assesses the strategies and measures employed to counter cyber terrorism in Kenya. This article adopts Ole Waever's Securitization Theory; Securitization is how state players turn issues into security concerns. Cyber terrorism refers to the illegal assaults and threats of attacks on computers, networks, and the information stored in them that can be exploited to intimidate or compel a government or its citizens to pursue political or social goals and other nefarious purposes. Cyber terrorism continues to pose a threat to all nations due to increasing vulnerabilities the cyberspace presents to hostile states, non-state actors, criminals and terrorists. To this end, to mitigate these threats, much of the policy and security measures have been geared toward countering is a new and complex threat.

Introduction

In the twenty-first century, it is acknowledged that technology has dramatically changed the security landscape in the world. Cybersecurity has continued to be a national and global security challenge due to increasing vulnerabilities the cyberspace presents to the hostile state and non-state actors, terrorists and criminals. This has put Kenya's socio-economic development, critical information infrastructure and citizenry exposed to cyber threats and risks. The risks and challenges that manifest in the the cyberspace include; espionage, subversion, sabotage, cyber crimes and terrorism.

Globally there have been increased cases of cyber terrorism; Kenyans are increasingly becoming vulnerable to cyber terrorism because of the lack of up-to-date safeguards against cyber threats, which are currently considered a serious threat to national security.

The Kenya government defines cyber-terrorism as an attack on a central

computer system to cause economic, social and political harm.¹ Cyber terrorism, according to Lewis, entails the use of cyber technologies to impair or shut down critical national infrastructures such as energy and government functions.² As a result, cyber terrorism has become a popular choice among modern terrorists, who value its anonymity, ability to do significant security harm, psychological effect, and media appeal.³

The introduction of information technology has resulted in the creation of hitherto unappreciated terror concerns, such as the threat of cyber terrorism, in which active terrorist groups from all over the world need not travel thousands of miles to harm society.

Theoretical Framework

This article applies Ole Waever's Securitization Theory; Securitization is how state players turn issues into security concerns. The term 'threat' is essential in the Securitization Theory because it establishes the existential essence of attempting to securitize a problem to make it unique. The act of elevating a problem beyond conventional politics to find a solution to the existential threat presented to a referent object is referred to by Buzan et al. as a securitizing action.⁴

Cyber terrorism has become a significant security concern in Kenya in that it affects every Kenya population due to the vast usage of technology in the country. As such, cyber terrorism is a significant security priority in the country.

Nature of Cyber Terrorism

Cyber terrorism may be described as the unlawful access and infiltration of computers, networks, and the data they contain for political or social advantage by utilizing threats, intimidation, or coercion against a government or its population. To be defined as cyberterrorism, an attack must provoke public fear and involve aggression towards persons or property. A cyber-terrorist attack on critical national infrastructure is a possibility.⁵

¹Harnisch, Charles. *The Terror Threat From Somalia: The Internationalization of Al Shabaab*. A Report by the Critical Threats Project of the American Enterprise Institute, (2010)

² Lewis, James. *Assessing the Risks of Cyberterrorism, Cyber War, and Other Cyber Threats*. Report submitted to the Center for Strategic and International Studies, Washington, DC, (2002), pp. 2-4.

³ Leverett, Eireann. *Cyber Terrorism: Assessment of the Threat to Insurance*; Cambridge Risk Framework series; Centre for Risk Studies, University of Cambridge, (2017), p. 12-13.

⁴Buzan, Barry. *Security: A New Framework for Analysis*, (1998), p. 25.

⁵Lewis, J. *Cyber Threats and Cyber Wars*, Washington DC, (2012), p. 5

As a result, cyberterrorism may be confused with other forms of terrorism, such as regular terrorism, cybercrime, or cyberwar. When an attack is motivated by money rather than ideology, it is classified as cybercrime—the relationship between national security and the economy. In his research, Conway considers whether terrorist groups working in cyberspace are “cyber-terrorists”. He feels that it is dependent on the notion and definition of cyber-terrorism, given the difficulty in defining terrorism. The difference between cyberterrorism and cybercrime is critical in identifying where cyberattack offenders fall.⁶

In Africa, Cyber-attacks are steadily evolving as they become more complex and far outpacing cyber defences.⁷ The introduction of ICT has resulted in the creation of hitherto unappreciated terror risks, such as the threat of cyber terrorism, in which active terrorist cells from all over the globe may have a devastating influence on national security without having to travel thousands of miles.⁸ Cyber terrorists can stage global attacks on computer systems and the resultant aftermath of such attacks would disrupt systems.⁹

Cyber-terrorism can be defined as the use of digital technology in a way that is detrimental to a country’s national interests.¹⁰ Experts believe that this type of threat is far more dangerous than traditional terrorism.¹¹ Large areas of a country’s economic and government activities, such as medical records, air traffic control, government records, damming systems, and many more critical sectors, may all be harmed by cyber terrorism.¹² The repercussions of this pose a severe danger to national security, as well as increased loss and destruction of national assets. If medical networks are hacked, it may potentially impact customer confidence and possibly result in death.¹³

The threat of terrorism that underpins cyber-attacks attempts to achieve a political advantage by instilling fear in the civilian populace. While cyber-terrorists have not murdered or maimed anybody or destroyed essential infrastructure, it is impossible to say if this is due to operational flaws or security systems and capabilities. As many areas of the economy continue to

⁶ Lorenzo, O. *Challenges of the Modern Century*, Samton Desktops Edition, Atlanta, Georgia, (2019), pp. 9-13.

⁷ Nakamoto, Satoshi. *Bitcoin: A Peer-to-Peer Electronic Cash System*, (2017), p. 30.

⁸ Symantec Corporation. *Internet Security Threat Report 2018*, the 2018 Trends, Volume 13 (2018), p. 24.

⁹ Kedmey, Dennis. *World Global Health. United Nations Population Fund*. New York, United States of America, Vol. 6, (2014), pp. 42-45.

¹⁰ Chuijka, A. *Strategies of Cyber Terrorism: Is Cyber terrorism*, Ontario, Canada, (2016), pp. 89-91.

¹¹ *Ibid*, (2016), p. 93.

¹² The United Nation. *United Nations Global Counter Terrorism strategy*. UN, United states, (2016), p. 23.

¹³ Riis, S. *The Origin of Modern Technology: Reconfiguring Things*. Continental philosophy review, London, United Kingdom, (2019), pp. 103-117.

automate, society has become increasingly reliant on the internet. The amount of automation makes cyber-attacks appealing to malevolent individuals looking to cause harm, and it also raises the possibility of cyber terrorism. Cyber terrorism in Kenya has been mainly aimed at infiltrating and destroying essential infrastructure, most of which is often vulnerable to these cyber-attacks.

The implication of Cyber Terrorism on National security in Kenya

Cyber-terrorism is currently posing a significant and unprecedented threat to national security. It is an all-encompassing menace because the forces behind it lurk behind computers and it has no face or attribution. It poses difficulties for governments, but there are procedures to address them. Cyber terrorism, according to Chow, is a network assault carried out by a terrorist or extremist organization to cause physical harm.

In Kenya, cyber terrorism is often targeted toward essential institutions like government websites, financial institutions, and security forces websites. The National Development Implementation and Technical Communication (NDICT) and ICT Authority-run Integrated Financial Management Information Systems (IFMIS) were down in 2017 following a cyber-attack. This has often posed a direct threat to the country's national security. Kenya has become more vulnerable to cyber security risks as the country's internet access and technical progress have risen. Kenya had a significant surge in cyber-attacks against governmental and commercial organizations in 2014. Kenya's fast expansion and reliance on ICT have made cyber security a growing concern to the country's national security.

Role of Military in Countering Cyber Terrorism

The usage of technology and access to information and social networking has created a fertile ground for manipulation and harmful ambitions. Politically motivated cyber-attacks against nation-states are on the rise. As a result, if a cyberattack results in the death or destruction of property, it may be deemed an armed attack requiring a military reaction. By functioning in a non-military role, the military would undoubtedly employ force as a last choice to defend the country from cyber threats.

Kenya's existing cyber security posture is being improved, and national plans are being developed to advise on how to defend cyber infrastructure

against attacks.¹⁴

The military has also added its expertise especially given the fact that the Kenya government has established a cyber-command Centre (NC3) where all cases of attack on critical ICT infrastructure can be reported.¹⁵ The NC3 is under the National Computer and Cyber Crime Coordinating Committee (NC4). Furthermore, the Computer Misuse and Cyber Act of 2018 is essential for creating forensic processes in the event of cybercrime. The military understood that knowledge is the most crucial factor in combating cyber terrorism since all a cyber-terrorist wants is access to a network, which you may be supplying them with by simple negligent practices. Cyber terrorism is on the rise, and it's getting increasingly difficult for governments to deal with on their own.¹⁶

The military continues assisting in implementing and enhancing cyber security measures because regulations previously in place could not adequately address the current cyber security and cyber terrorism threats. It is important to note that most organizations have not established security practices/measures needed to protect critical cyberinfrastructure.

The strategies and measures employed to counter cyber terrorism in Kenya.

Criminals, terrorists, and spies rely heavily on cyber technologies to achieve their goals, necessitating either an internal security operations centre or an external service, the quick discovery and mitigation of threats, and continuous monitoring of networks, applications, and devices. Countries may assist cyber-terrorism for political and national reasons. The source of a cyber-attack may be detected even if there is a high level of anonymity.

This section asserts that fighting cybercrime is not simply the government's responsibility but also of non-state actors that deactivate dangerous links and sites, establish tip lines, and develop anti-malware software. Since the internet has grown omnipresent in practically all human communities, these activities can be localized or coordinated globally. In the battle against cybercrime, public awareness is crucial. It may be the initial line of defence.

Given this, Kenya has established regulations and constructed mechanisms and institutions to assess current measures to produce robust and well-defined national cyber security plans that support threat management techniques that

¹⁴ Fischer, E. *History of Critical Infrastructure*, Atlanta Georgia, RL3, (2015), p. 227.

¹⁵ The East African. *Kenya launches centre to fight cybercrime*, (2016).

¹⁶ Libichi, B. *Cyber deterrence and Cyber Wars, Laws of Cyber Space*, Atlanta Georgia, RL3, (2018), p. 229.

can predict, identify, respond to, and control cyber security threats. Access to information in this modern age has become easy, and to address this, the military has restricted access to sensitive information. People posting personal information on social media, including their digital fingerprints, has made locating information about a person much easier than it was previously. Some of this information may be directly available on the internet, while others may be gathered from online sources. In that instance, data may be obtained through the internet, or hackers might access a person's private network using specific tools.

Furthermore, the Kenyan government has acknowledged the necessity to construct a Cyber Coordination Centre where any critical ICT infrastructure assault incidents may be recorded. The centre was formed under CAK to respond to any cyber assaults or security concerns in the country. Furthermore, the Computer and Cybercrimes Bill of 2016, which aimed to match the legislation with the development of forensic processes while investigating rising cybercrime cases, has yet to be implemented.

The Kenyan Communication Authority (CAK) has issued a warning about the country's growing threat of cyber-terrorist attacks. "Cyber security is about online security and the methods that produce a safe environment online," noted.¹⁷ The cost of cybercrime in Africa has increased exponentially to around 3.5 billion US dollars, with Nigeria (\$649 million), Kenya (\$210 million), Tanzania (\$99 million), Uganda (\$67 million), and Ghana (\$54 million) accounting for the majority of the total. Automation continues to occur in many sectors of the government and business as costs rise. In other situations, such as Kenya, electronic systems have shown to be vulnerable to both private and public assault, with large sums of money lost in recent years due to hacking. This was primarily due to a scarcity of technological security experts.¹⁸

CAK is now in charge of Kenya's cyber security policy. Computer access training and awareness, cyber protections and regulations, ICT economic drivers, ICT governance, and legal framework are vital policy components. Several teams have been constituted due to these initiatives to oversee the application of cyber technology and security measures based on the legislation. Recognizing the importance of ICT, Kenya's crime unit, police, and Communication Authority all have a branch dedicated to investigating cyber

¹⁷ Leverett, E. *Cyber Terrorism Risks and Insurance*. Cambridge Risk Official Center, University of Cambridge, (2017), pp. 12-19.

¹⁸ Nixon Kanali is a trained journalist based in Nairobi. Also founder and editor of Tech Trends KE, (2016).

security offences.¹⁹

Kenya has moved forward with developing measures to address escalating cyber security risks by conforming to internationally accepted standards. Recognizing the importance of information and communication technology (ICT) in economic growth, Kenya continues to seek collaborations with digital players to build solutions based on their knowledge of the dangers.²⁰ The Government of Kenya engages with International partners, Non-State actors and brings together all Ministries, Agencies, and Departments (MDAs) in a Multi-Agency Approach in addressing all issues of cybercrime, cyber terrorism among others.

The government developed the 2017/18 National Cybersecurity Strategy to make the federal government more committed to cyber security. The strategy includes the following objectives: Develop the ICT e-business ecosystem and increase cybersecurity by reducing vulnerabilities and raising cybersecurity awareness to develop a competent workforce capable of coping with cyber threats. Seminars for training and sensitization, as well as other forums, will be used to accomplish this. Establishing regional organizations and stakeholder meetings will promote collaboration and information exchange among relevant stakeholders. Establish national ICT leadership at all levels so that cybersecurity policies and legislative frameworks may be developed.

Finally, it is critical to recognize that advances in information technology and cyber terror have presented a danger to all aspects of modern life. This manifests in various ways, from the internet becoming a sanctuary for thieves, illicit file-sharing of intellectual property to online money theft and even identity theft. It would be financially effective for all stakeholders if cyber security is taught from a young age, including the military. This should be taught in their respective careers, and cyber security is incorporated as a subject in the new Competency-Based Curriculum (CBC). Kenya instituted national cybercrime management institutions that should continue implementing regulations and establishing the structure for early detection and prevention of cybercrimes. It is recommended that multi-agency and multi-stakeholders pull together and cooperate in the fight against this cybercrime and terror menace.

It is important to continue operationalizing the Kenya National Cyber Security Master Plan 2018/19 which is designed to address cyber threats and potential ICT hazards in the future. The strategy is based on Vision the 2030s three pillars, which establish Kenya's cyber security and goals while

¹⁹ Newton, B. *Phone Scams of Millions*. Survey of Cyber Crimes in Kenta, Tanzania and Zambia, Herald Cooperation, (2014), pp. 9-11.

²⁰ Nixon Kanali is a trained journalist based in Nairobi. Also founder and editor of Tech Trends KE, (2016).

maintaining secure, safe cyberspace and fostering ICT for economic growth.

Conclusion

Cyber terrorism has been on the rise in Kenya. The availability of software tools or cyber weapons that can efficiently conduct attacks on multiple systems has been the leading underlying cause of cyber terrorism. A failure to address the youth bulge, who are bored and want to try new things, as well as the relative ease with which people can obtain information on radical teachings via YouTube, social media sites, and blogs, as well as an ungoverned space where criminals spread radicalization narratives, are all contributing factors.

The factors that influence cyberterrorism, state sponsorship and non-state actors like terror organizations with criminal or unlawful intent to utilize cyberspace for harm against persons or property are examples. The attack might have a political or ideological motivation. It should be mentioned that cyber thieves have a difficult time cleaning up the proceeds of their deception. It might entail a money-laundering scheme. Financial institutions have improved their security systems, making cyber-terrorist strikes less likely.

Kenya has implemented a national cyber-security policy to secure the country's online assets and guide the management of cyber security in the country in response to growing online vulnerabilities.

CYBERCRIME - A NEXUS TO SOCIAL AND NATIONAL SECURITY IN KENYA

Col Duncan N Kabonyi, HSC 'psc' (K) - Kenya Army

Abstract

Computer technology has changed and transformed our everyday life. Today, nearly 90% of nations in the universe carry out their day-to-day activities, be it in business, employment or travel, electronically. Companies use automated transactions to process personnel details, payments, transfer of information, and manage nuclear power plants in the military. Computers connect people, institutions, and departments in an organized, accurate, and updated manner. However, some challenges have severely hindered the smooth processes of inputting data (basic information), processing the data and either transferring or storing the output.

Like the rest of the world, contemporary Kenyan society has witnessed increased cybercrime activities that threaten both personal and national security. This article explores how cybercrime has affected national and social security in Kenya. Moreover, the report looks at the laws established to counter cybercrime in Kenya's national and social security sectors. The main types of cybercrime common in Kenya include spoofing, impersonation scams, social media harassment, cyber-stalking, encroachment into privacy and phishing through Business Email Compromise (BEC) and telephones. Consequently, these crimes have increased the need for laws to counter cybercrime in Kenya. Such laws include the Computer Misuse and Cybercrimes ACT created in 2018 and Data Protection Act No. 24 of 2019. Besides, the Kenya Information and Communications Act (1998) oversee operations in the telecommunications industry. The essence of these laws is to protect personal data that cybercriminals may otherwise use to compromise national and social security.

Introduction

Ever-changing dynamics in technology characterize the modern world. Globally, technology has internetworked all citizens worldwide in terms of ideas and business through social interaction. However, in line with the ever-changing progress, technology has not just come through positively. The threats of weapons of mass destruction, organized crimes, and terrorism are concerns that derail any nation's economic, political and technological

integration; Kenya included.¹

For over 20 years, globalization has grown massively among countries on governance, trade and banking systems.² This environment has created opportunities for criminals that have resulted in organized crime. Cyberspace is a global computer network that connects the whole world through communication and social networking. As a result, the computer being the tool and source or target of organized crime, especially in cyberspace, has diversified. Crimes through the use of computers have gone global and reached macro-economic proportions. Consequently, the advancements in technology have contributed to the infringement of privacy among various computer platforms in Kenya. Fraudsters and terrorist groups such as Al-Shabaab are now using the internet to extort innocent victims and spread their propaganda wars respectively.³

A big question that we must ask ourselves is how cybercrime has affected national and social security, more so in Kenya. Again for the problem, there must be ways/laws to counter the cybercrime and internet fraud in the country (Kenya).

This article discusses the possible loopholes that hackers use to infiltrate people's or organizations' information on social and national security nationally and beyond the borders and how to counter the cybercrime.

Understanding cybercrime

Cybercrime is an act of criminal activity by using any electronic tool/device, such as a Smartphone, computer etc., to perform illegal functions like intellectual property and violating privacy, among other forms of fraud. Cybercrimes mainly occur through accessing information on social media, electronic mail, local area network, or the internet. Cybercrime includes 'traditional crimes' caused by the aid of a computer. The other crime is a 'hybrid crime' that hackers commit for gains, either financial or harm to the other person.⁴ Traditional crimes using computer network technologies have created an enormous opportunity for hackers to infiltrate into people's freedoms and rights under fraud, causing harm to people and property. 'True cybercrimes'

¹ Brewster, Ben, Benn Kemp, Sara Galehbakhtiari, and Babak Akhgari. "Cybercrime: attack motivations and implications for big data and national security." *In Application of big data for national security*, pp. 108-127. Butterworth-Heinemann, 2015.

² Walter Kemp, United Nations Office on Drugs and Crime, *Organized Crime: A Growing Threat to Security*.

³ Byman, Daniel. "Understanding the Islamic State—a review essay." *International Security* 40, no. 4 (2016): 127-165.

⁴ Kwon, Cheolhyeon, and Inseok. *IET Control Theory & Applications* 10, no. 7 (2016): 731-741.

are internet crimes that can only be committed, created, and executed during communication between computers over the network. Such frauds are through phishing, acts of terrorism, shutting down computer networks, and wrong internet use like engaging in child pornography.⁵

There are also other forms of cybercrime;⁶ there is Conventional crime, which is purely an act from a computer. In this case, criminals use a computer to commit acts such as piracy, intellectual theft and child pornography. Besides, there are crimes committed in computer cyberspace where fraudsters continually engage in intrusion over the networks of institutions and businesses. On the other hand, there are conventional criminal cases where the crime doesn't involve a victim. Such crimes are drug trafficking, prostitution, child pornography, and even gambling, which can be identified in digital form.⁷ Convectional crime and computer network attacks are crimes that cause havoc to humans (murder, assault, rape,) and destruction of property (theft and breakings). However, the cases are due to computer technologies, making it a bit complex to counter and defuse them. European law enforcement agency, Europol, explains that any crime committed using a computer in cyberspace is a cyber-dependent crime. This is because the frauds/crimes involve developing computer viruses and malware, infiltrating into personal and bank employment details, and institution data, for personal gain either financially or damage to the victims.⁸

The Internet

People from all regions can obtain nearly everything from the internet- images, videos, descriptions, definitions, books, news – by just opening platforms such as Google. However, access to this information may cause individuals and nations to fall. Today, most PC and smartphone users are connected to the internet and are aware of cybercrimes. This is because they have fallen prey to, duped, conned or their information hacked in one way or the other.⁹

Internet crimes continue to grow exponentially and have become a complicated infrastructure where cybercriminals develop and share thousands of scams every day. In the year 2020 Internet Crime Report published by

⁵Smith, Troy E. "Cyber warfare: A misrepresentation of the true cyber threat." *American Intelligence Journal* 31, no. 1 (2013): 82-85.

⁶Ngo, Fawn T., and Raymond Paternoster. "Cybercrime victimization: An examination of individual and situational level factors." *International Journal of Cyber Criminology* 5, no. 1 (2011): 773

⁷Ibid.

⁸European Cyber Crime Centre (EC3) *EU Cyber Security Strategy* 2013: 2019, p. 14.

⁹Kilger, Max. "Social dynamics and the future of technology-driven crime." In *Corporate hacking and technology-driven crime: Social dynamics and implications*, pp. 205-227. IGI Global, 2011.

the FBI, there was a 70% increase in reported complaints (seven hundred and ninety thousand as compared to four hundred and seventy thousand back in the previous year),¹⁰ and the global COVID-19 pandemic saw many firms, institutions individuals' businesses hugely affected by incurring losses amounting to billions of dollars, taking into account this was based on reported and analyzed data. Otherwise, it would have been more if all noticeable cybercrimes were tabulated. IBM (2020) noted serious online crime amounting to approximately US\$3.89 million. Healthcare, on the other hand, averagely reported losses of US\$7.14 million for every computer hack. This finding also shows there is an increasing behaviour in cybercrime in both written and assumed cases.

Cybercrime In Kenya

Cybercrime targets a wide range of business enterprises within and beyond its borders. Most reported cases are phishing through electronic mail. Here, cybercriminals hack into their target users' emails and impersonate personal and corporate email accounts and, in the end, lure these unsuspecting victims into sharing sensitive data and sending money to their accounts.¹¹ The emails are hacked, accessed into and replied by innocent victims who have no clue about the intention of the cybercriminals. Kenya is regarded as the Eastern and Central Horn of Africa's 'Silicon Savannah,' a hub for GBP 760 million in technology and about 230 digital service provider businesses. Many digital and information technology companies have established their firms in Kenya, one being the Konza City, which has projected a US\$10bn Smart City. Despite the overall ICT development in Kenya through cyberspace, Kenya remains a lucrative market for cyber-criminals.

Soriano, the African based cybercrime company, states that Kenya incurred a loss of approximately US\$299m to hackers (2018 alone), with Business Email Compromise used in defrauding local businesses.¹²

¹⁰ Federal Bureau Of Investigation". 2021. "IC3 Releases 2020 Internet Crime Report <https://www.fbi.gov/news/pressrel/press-releases/fbi-releases-the-internet-crime-complaint-center-2020-internet-crime-report-including-covid-19-scam-statistics>

¹¹ <https://enactafrica.org/research/trend-reports/is-kenya-the-new-playground-for-cyber-criminals> posted online: 4 Feb 2020 accessed on 8 August 2021

¹² Walter Kemp, United Nations Office on Drugs and Crime, *Organized Crime: A Growing Threat to Security*.

Transactions in enterprises such as SACCOs, financial institutions, system integrators, service firms and the government itself have fallen prey on cybercrime attacks in the last three years alone.¹³

The top five Popular Cybercrimes in Kenya include but are not limited to:

Spoofing and Phishing – In this scam, an online criminal entices unknowing electronic device users by sharing sensitive or individual details such as password security and confidential information, ATM, email or Mpesa Personal Identification Numbers. A phishing hacker will try to resemble an official website/URL that his victim commonly uses while online to entice him into sharing his bit of confidential or personal details that are enough to access his information. Due to the pandemic Covid19 virus, the Kenyan government encouraged the citizens to operate the electronic transfers of currency through Mpesa, Airtel Money and mobile banking.¹⁴ Using these platforms, fraudsters can access customers' details from the Mpesa record books to gain information on their names and identity card numbers, further exposing them to frauds and thefts.

Identity Theft Scams – these crimes are accomplished by cyber-crooks by gaining access to unsuspecting victims' confidential details, savings accounts, loans, medical billing accounts and insurance information through various computer technologies in Kenya. Hackers and other cybercriminals make purchases of an individual's identity and information. This scam has been in place even before the internet. When the technology came in place, the criminals have found it easier and faster to steal and fraud through this scam via your identity.¹⁵

Social Media Harassment – this is one's online lifestyle where one spends most of the time on social networks such as Twitter, WhatsApp, Facebook, Instagram and Tik Tok. It consists of threats sent on the internet, such as instant messages on social posts. Kenya is one of the leading consumers of social media platforms such as Twitter in Africa, where hashtags such as 'Kenyans On Twitter' are used daily to discuss various issues.¹⁶ Consequently, online harassment and bullying of multiple people, especially celebrities, is common among Kenyans based on different scandals or developments in their lives.

¹³ IBM Cost of Data Breach Report 2021: <https://www.ibm.com/security/data-breach>: Accessed on 8 August 2021

¹⁴ Nachega, Jean B., Rory Leisegang, Oscar Kallay, Edward J. Mills, Alimuddin Zumla, and Richard T. Lester. "Mobile health technology for enhancing the COVID-19 response in Africa: a potential game-changer?" *The American journal of tropical medicine and hygiene* 103, no. 1 (2020): 3.

¹⁵ Ibid

¹⁶ Tully, Melissa, and Brian Ekdale. "Sites of playful engagement: Twitter hashtags as spaces of leisure and development in Kenya." *Information Technologies & International Development* 10, no. 3 (2014): pp-67

Cyberstalking is an emerging trend in Kenya where an individual is actively involved by following his innocent victim's operations, like surfing while online. A program or malware affects the user by constantly searching which sites the victim mostly visits while using social media. Cyberstalkers usually intimidate the users by encroaching into their private details, may threaten the victim as revenge, act this way because of jealousy, bigotry, or to even to get to know what a victim does privately.¹⁷

Invasion of Privacy – Attacking a victim online social media in the curiosity of knowing what he does to see the private part of his life by accessing his messages through WhatsApp, email or any other platform. The availability and multiple sources of information about individuals on Kenya's online media have encouraged infringement of privacy, hence calling for the need for more active regulation.

Phishing through Business Email Compromise (BEC) and Telephones

Phishing is a common cybercrime offence that has gained popularity in the last decade. Phishing involves targeting an unsuspecting individual through email, text message, or email where the offender poses as a genuine institution to convince a user to share his details such as passwords, credit card initials and personally identifiable information.¹⁸ In most cases, phishing aims to steal money from the victim. Due to the popularity of online money transfer platforms such as Mpesa among Kenyans, phishing is arguably the most abused cybercrime in the contemporary Kenyan society.¹⁹ The lower literacy levels and average knowledge of cyber laws among a section of Kenyans have subjected them to manipulation and duping by fraudsters.

Laws Countering Cybercrimes in Kenya

There are already laws that address cybercrime, such as the Computer Misuse and Cybercrimes Act of 2018 and the Information and Communications Act. The law states that any person breaking the law risks imprisonment of up to three years or a fine not exceeding Kshs 300,000. The Act (of 2018) emphasizes

¹⁷ Stevens, Francesca, Jason RC Nurse, and Budi Arief. "Cyberstalking, cyber harassment, and adult mental health: A systematic review." *Cyberpsychology, Behavior, and Social Networking* 24, no. 6 (2021): 367-376.

¹⁸ Ibid

¹⁹ Musuva, Paula MW, Katherine W. Getao, and Christopher K. Chepken. "A new approach to modeling the effects of cognitive processing and threat detection on phishing susceptibility." *Computers in Human Behavior* 94 (2019): 154-175.

protecting Kenyans against cybercrime and provides legal assistance to cooperate with other nations, the international community and service providers to curb such worldwide crimes. Therefore, Kenya must have precise and more restrictive measures in its internet infrastructure.^{20]}

Offences under the Cybercrimes Act, 2018 include Child pornography, Computer fraud and forgery, Phishing, Interception of electronic messages and money transfers, and taping and misdirection of emails, among many others.^{21]} Effective implementation of the legislation is likely to protect national and social cyber-security in Kenya. Offences under this law attract a wide range of fines and different lengths of jail time.

However, due to a few shortcomings and the need for more clarity on some sections, several amendments have been proposed to the Computer Misuse and Cybercrimes ACT, 2018. The Kenya Gazette Supplement National Assembly Bills 2021²² proposes amendments to the Cybercrimes Act, 2018.²³ The amendments comprise measures that, if managed and implemented, will solve emerging issues concerning cybersecurity. The measures include stiffer penalties for individuals found guilty of abusing cybercrime laws. The amendments are driven by the harmful impact of cyberbullying and crime on individuals. Some of the effects of pornographic material usage and publishing of electronic materials include suicide.²⁴ Abuse of cyber laws has also led to some youths engaging and participating in acts of terrorism and cyber harassment. The new bill also seeks to provide the functions of the National computer and cybercrimes coordination committee; this includes recommending websites that may be rendered inaccessible in the country.²⁵

Another law that seeks to counter cybercrime in Kenya is the Data Protection Act No. 24 of 2019. This law, also known as DPA, came into effect in 2019 and sought to offer data-abuse subjects remedies and rights aimed at protecting their data from any form of processing that is not stipulated in the

²⁰ Mohamed Daghar, Researcher, ENACT project, ISS (04 Feb 2020) Cybercrime /Is Kenya the new playground for cybercriminals

²¹ Walubengo, John, and Mercy Mutemi. "Treatment of Kenya's internet intermediaries under the Computer Misuse and Cybercrimes Act, 2018." *The African Journal of Information and Communication* 21 (2018): 1-19.

²² Kenya Gazette Supplement National Assembly Bills 2021 Nairobi 16th April 2021, *Computer Misuse and Cybercrimes Amendment Bill, 2021* page 333.

²³ Kenya Gazette Supplement, Acts 2018 Nairobi 16 May 2018 *Computer Misuse and Cybercrimes Act* page 37.

²⁴ Leukfeldt, Eric Rutger, and Majid Yar. "Applying routine activity theory to cybercrime: A theoretical and empirical analysis." *Deviant Behavior* 37, no. 3 (2016): 263-280.

²⁵ Ogola, George. "Media and Policymaking in Kenya: Framing in Contested Public Spaces." In *Governing Kenya*, pp. 163-181. Palgrave Macmillan, Cham, 2021.

Act.²⁶ The DPA recognizes and emphasizes that every citizen has a right to privacy and that their information concerning private, or family affairs should not be revealed or required in many computer platforms. Moreover, this law acts as a clean-up of several other bills targeting cybercrime that have been introduced and subsequently withdrawn for various reasons. Furthermore, the DPA creates a Data Protection Authority, headed by a Data Commissioner, whose role is to ensure regulation and compliance with multiple aspects of the Act.²⁷

Sectoral laws targeting cybercrime in Kenya include the Kenya Information and Communications Act, adopted in 1998 and has undergone several amendments since that time. This law is the primary legislation that oversees the telecommunications industry in Kenya. Additionally, this law establishes the National Kenya Computer Incident Response Team Coordination Centre (National KE-CIRT/CC), which acts as the national contact point on matters surrounding cybersecurity.²⁸ Thus, this body plays a crucial role in the detection, monitoring, mitigation, and prevention of incidents involving cybersecurity. Cybercrimes under this Act attract a fine within the range of Ksh 200,000 to Ksh 1,000,000 and an imprisonment term of up to 5 years.

Conclusion

The moment the internet and the World Wide Web were created, criminals were already operating to hack and exploit it. Computer and software developers must do their best to keep updated and stay ahead of cybercrime-to protect the digital society. To counter most cybercrime-related activities, many computers and other online social media users must protect their data and personal accounts and continually monitor any fictitious deals within their network. This can be achieved by using a solid phishing filter, security updated software, genuine programs, and web browsers.

Common cybercrimes in the Kenyan context include cyberstalking, invasion of privacy, and phishing through Business Email Compromise (BEC) and telephones. Others are spoofing identity theft scams and online harassment. Due to these frequent offences, the Kenyan government and stakeholders have developed various laws seeking to counter cybercrime. The rules include the Data Protection Act No. 24 of 2019, the Computer Misuse and Cybercrimes

²⁶ Mude, Hashim. "Political Micro-Targeting in Kenya: An Analysis of the Legality of Data-Driven Campaign Strategies under the Data Protection Act." *Journal of Intellectual Property and Information Technology Law* no. 1 (2021): 7-36.

²⁷ Ibid

²⁸ Fielder, James D. "Cyber security in Kenya: Balancing economic security and internet freedom." In *Routledge Companion to Global Cyber-Security Strategy*, pp. 543-552. Routledge, 2021.

ACT (2018), and the Kenya Information and Communications Act (1998).

A computer user, be it an organization, firm or institution, should have active security applications installed and must be up-to-date. These programs are anti-spyware and full-service internet security (anti-virus) programs. We must also encourage strong passwords to secure our data, updated genuine software and manage social media settings like names. Besides, individuals should always check to determine which information hackers have tried to access on different online platforms. Finally, always backup your data.

IN THE HORN OF AFRICA, MILITARY CHOICE IN THE PREVENTION OF VIOLENT EXTREMISM LEADS TO TERRORISM

Col Paul M Kindochimu 'Psc' (K) - Kenya Army (K)

Abstract

Terrorism is generally thought of as the repudiation of democratic values such as cohesion, respect, tolerance, diversity, and inclusion that usually underpin human life in the twenty-first century. Violent Extremism and Radicalization that Leads to Terrorism (VERLT) are global challenges that are not restricted to any particular state, nationality, ethnicity, religion, ideology, age or gender. It is worth noting that the fact that violent extremism has been on the increase has spurred the question as to why there should be a choice of the military in dealing with violent extremism that leads to terrorism. In addition, the complex, unpredictable, and evolving nature of VERLT calls for the need for multi-agency and multi-stakeholder involvement, such as academia, security forces, and civil society, in countering violent extremism and terrorism.

Introduction

Huckerby acknowledges that many states continue to face multifaceted setbacks in mitigating the factors that lead to violent extremism, detecting and preventing homegrown attacks, and managing terror returnees from conflict zones.¹ Hoffman argues that some countries spend billions of dollars on preventing and protecting themselves against terrorists, yet a common thread that emerges across many developing states is the limited utility of security forces in fighting extremist ideology.²

¹ Huckerby, Jayne. When Human Trafficking and Terrorism Connect: Dangers and Dilemmas, Just Security, the International Human Rights Clinic, (2019), pp. 4-7.

² Hoffman, Bruce. *Extremism in 2019: New Approaches to Facing the Threat*. The Tony Blair Institute for Global Change, (2019), pp. 11-13.

Hence, addressing different aspects of this challenge has been a priority for many countries, including the United States (US), the United Kingdom (UK), Switzerland, Serbia, Germany, Austria, Slovakia, Italy, and Turkey.³ At the March 2019 Counterterrorism Conference in Bratislava, a plenary session focused on the importance of dedicated stakeholder approaches to preventing violent extremism and radicalism that lead to terrorism.⁴

In Africa, violent extremist groups have become more dispersed and clandestine, for instance, turning to the internet to inspire attacks by distant followers and, as a result, have made themselves less susceptible to conventional military action. Further, the return or relocation of foreign terrorist fighters from the battlefield has contributed to a growing cadre of experienced, sophisticated, and connected terrorist networks, which can swiftly plan and execute terrorist attacks.⁵

In the Sahel, for instance, terrorist groups, including affiliates and adherents of Al-Qa'ida and Islamic State (IS), have expanded their operations in central Mali and the Tri-Border Region of Burkina Faso, Mali, and Niger. In response, the African Union Peace and Security Council authorized a new G-5 Sahel or G5S (Counter-Terrorism) Joint Force, in April 2017, comprising military and police forces from Burkina Faso, Chad, Mali, Mauritania, and Niger.⁶

The Joint Force began military operations in 2018 along the shared border to impede the flow of terrorist groups and enhance counter-violent extremism and terrorism avoidance measures.⁷ The goal of G5 Sahel is to strengthen the link between economic development and security and to work together to combat the threat of jihadist organizations operating in the region, using both a hard and soft approach, which the Department of Defense (DoD), other security forces, and leaders debunk the terrorists' ideology of hate and violence.

The East African Standby Force (EASF) was created as an element to operationalize the establishment of an African Standby Force (ASF) to

³On 25 and 26 March 2019, various states were invited to share their projects and experiences during the annual Organization for Security and Cooperation of Europe (OSCE)-wide Counter-Terrorism Conference in Bratislava, Slovakia. The main purpose of this international meeting was to take stock of efforts to prevent and combat terrorism as well as violent extremism and radicalization leading to terrorism in the OSCE area. The (OSCE)-wide Counter-Terrorism Conference. Taking Stock of Efforts to Prevent and Counter Terrorism as well as Violent Extremism in the OSCE Area. Bratislava, Slovakia, (2019).

⁴ The (OSCE)-wide Counter-Terrorism Conference. *Taking Stock of Efforts to Prevent and Counter Terrorism as well as Violent Extremism in the OSCE Area*. Bratislava, Slovakia, (2019).

⁵ Hoyt, Timothy. Pakistan, an Ally by Any Other Name. U.S. Naval Institute Proceedings, (2017), pp. 44-50.

⁶ United States Department of State Publication Bureau of Counterterrorism. *The Country Reports on Terrorism 2017*. Released, (2018).

⁷ Ibid, (2018).

counter violent conflicts and violent extremism in the East African region. Thus, a deep understanding of the process of extremism by the military has become one of the most critical points in responding to violent extremism and preventing individuals from starting down the path toward violence or becoming members of a terrorist organization.⁸

The Military and Terrorism

The military participates in peacebuilding as part of their existing strategy. This is where military officers in peacebuilding efforts are enlisted personnel from different services and countries, participating with multinational agents of non-governmental organizations (NGOs), international civil servants, and individual diplomats, all having diverse institutional backgrounds.⁹ Depending on the mandate of the mission authorized by the UN Security Council (UNSC), military officers serve in electoral, UN police, and human rights groups and in delegations from UN programmes and agencies.

The number of agencies participating in multidimensional missions has greatly expanded owing to the increase in operational goals, now including human security principles through state-building, government-sector reform, and peacebuilding.¹⁰ The asymmetric context of operations is becoming increasingly complex, mostly in situations with high levels of enduring conflict and volatility. Simons opines that many regions of the world and even individual countries have had their own unique ways of dealing with terror threats.¹¹ This has mostly been due to the asymmetric nature of conflict when dealing with terrorists.¹² Asymmetric warfare needs militaries around the world to train and be prepared to mobilize and counter it as soon as it has emerged.

Military deployment to counter terror threats depends on some key factors, such as: whether the threat is domestic or foreign; the lethal nature of the threat; and the danger it poses to national security.¹³ Sheppard is of the cautious

⁸ Koehler, Daniel. *Violence and Terrorism from the Far-Right: Policy Options to Counter an Elusive Threat*. ICCT Policy Brief, (2019), pp. 1-3.

⁹ Freese, Rebecca. *Evidence based counterterrorism of flying blind? How to understand and achieve what works, perspectives on terrorism*, (2018), pp. 9-11.

¹⁰ McAleenan, Kevin. *Department of homeland security strategic framework for countering terrorism and targeted violence*. Homeland security, United States (2019), pp 12-19.

¹¹ Silke, Alfred. *Terrorists, victims and societies: psychological perspectives on terrorism and its consequences*, England, John Wiley and sons, (2013), p.13.

¹² Stohl, Rachel. *US arms exports and military assistance in the global war on terror*, center for defense information at the world security institute, (2007), pp. 11-14.

¹³ Mueller, John. *Terrorism since 9/11: the case of America*. Columbus, Ohio university, (2018), p. 8

¹⁴ Simons, Greg. *Mass media, and modern warfare: reporting on Russia war on terrorism*, Surrey: Ashgate publishing limited, (2010), P. 99.

opinion that military strength is necessary, but it should be used sparingly as it could pose problems in an asymmetric encounter as it may prove to be too unwieldy.¹⁴ The deadly nature of military equipment's force may not be appropriate in a civilian setting.

Silke reveals that there is a myriad of means of dealing with a terrorist threat, but many countries prefer to use their military as a first means of deterrence. After the 9/11 attacks, the US government took a more militaristic approach to law enforcement, and one of the strongest signs of this was the formation of the Department of Homeland Security and the passing of the Patriot Act into law.¹⁵ However, the international community has expressed concern that they are encouraging human rights violations not only domestically but also internationally. Good cases in point are the Israeli-Palestinian conflict and the Northern Ireland problems with the Irish Republic Army (IRA).¹⁶

The use of military power is especially dangerous because military tactics are “broad-swords” in that they are usually aimed at taking out a large number of enemy combatants in one strike and over a sizable area. This poses problems in areas with a huge number of civilian populations, like cities or towns. Finer methods of infiltration, information gathering, and disrupting networks should be conducted at the local level by local law enforcement that knows the human landscape of the area well.

Stohl found that there is a school of thought that the so-called precision weapons have made fighting terrorism much easier and more efficient. But reports still show that there is still a high amount of collateral damage being experienced by military forces around the world, especially in hostage situations.¹⁷ But many a time, military might is still used as it is believed that it is the fastest way to degrade the capabilities of terrorists.

Silke opines that the more the government strikes the terrorists on all fronts, using all means of statecraft, the more effective the military gets. Sometimes the military is engaged in a defensive role if an imminent threat is detected.¹⁸ This will necessitate the deployment of forces in areas with large crowds, as these make for the soft underbelly of any government.

Stohl posits that when it comes to combat, the military has the capability to

¹⁴ Sheppard, Ben. *The psychology of terrorism: public government responses to attacks*. (2009), p. 91

Silke, Alfred. Te

¹⁵ Silke, Alfred. *Terrorists, victims and societies: psychological perspectives on terrorism and its consequences*, England, John Wiley and sons, (2013), p.13.

¹⁶ Hoyt, Timothy. *Pakistan, an ally by another name*. US Naval institute proceedings, (2011), pp. 44-50.

¹⁷ Stohl, Rachel. *US arms exports and military assistance in the global war on terror*, center for defense information at the world security institute, (2007), pp. 11-14.

¹⁸ Silke, Alfred. *Terrorists, victims and societies: psychological perspectives on terrorism and its consequences*, England, John Wiley and sons, (2013), p.13.

penetrate difficult places like stadiums, airports, or even theatres. Examples from the past that show crowded public places are a high-risk zone for terror attacks are the attack by the Japanese Red Army on Lord's airport in May 1972; the Munich Olympic massacre in 1972; the failed attack on Glasgow airport in 2007 by Islamic militants, just to mention a few.¹⁹ But all in all, the military can be an effective deterrent tool against terror attacks, like in the 1974 case when troops were deployed to Heathrow airport to quell fears that Palestinian militants wanted to bring down planes using portable surface-to-air missiles. The military is successful in this way by having massive resources made available to them, and thus they can mobilize specialized equipment for surveillance and or logistic support.²⁰

Military personnel are specially trained to survive in harsh and even hostile environments. The specialized forces wing of any military is usually the crème de la crème of its personnel. This human resource is a vital asset to governments, especially when considering initiating the first strike against terrorist suspects.²¹ Freese is of the opinion that a massive retaliatory strike is the most forceful show of might a government may exhibit in its fight against terror.²² A state may feel it should retaliate against another state for aiding or abetting terror elements, or it may choose to strike a non-state actor who lies within a failing or failed state.²³ These operations are coercive and are intended to degrade the capabilities of the enemy or degrade their resolve to stand up against the government as they will keep facing devastating consequences.²⁴ The military is super effective at ceasing and desisting terror operations.²⁵ One of the biggest challenges for countries emerging from conflict is the transition from military to civilian rule, which requires a shift in capability, skills, and mindset.²⁶

The Army, along with its international partners deployed to provide assistance

¹⁹ Stohl, Rachel. *US arms exports and military assistance in the global war on terror*, center for defense information at the world security institute, (2007), pp. 11-14.

²⁰ Sheppard, Ben. *The psychology of terrorism: public government responses to attacks*. (2009), p. 91.

²¹ McAleenan, Kevin. *Department of homeland security strategic framework for countering terrorism and targeted violence*. Homeland security, United States (2019), pp 12-19.

²² Freese, Rebecca. *Evidence based counterterrorism of flying blind? How to understand and achieve what works, perspectives on terrorism*, (2018), pp. 9-11.

²³ McAleenan, Kevin. *Department of homeland security strategic framework for countering terrorism and targeted violence*. Homeland security, United States (2019), pp 12-19.

²⁴ Bognoe, Camilla. *Understanding the role of gender in preventing and countering violent extremism and radicalization that lead to terrorism, good practices for law enforcement*. Security and cooperation, (2016).

²⁵ Silke, Alfred. *Terrorists, victims and societies: psychological perspectives on terrorism and its consequences*, England, John Wiley and sons, (2013), p.13.

²⁶ Brill, Steven. *Is America any safer?* The Atlantic, (2016), pp2-5.

and mentorship to legal, educational, medical, and political institutions, must not only recognize the challenges but also take active steps to ensure that their approach and actions address rather than exacerbate these problems. An inability to take effective action will lead to unintended consequences. However, any action taken will require an in-depth understanding of the challenges that exist in the rule of law landscape, both in terms of a contextual understanding of the fragile state in question and with respect to the response being provided by the international community.²⁷

It is crucial that before the military exits from counterterrorism, they enhance cooperation and improve effectiveness in the area of disarmament, demobilization, and reintegration (DDR) of ex-combatants.²⁸ The rationale for the military's engagement in this area is to support peace processes and enhance security so that post-conflict reconstruction and recovery can begin.

²⁹

Choice of the Military in Kenya

According to Stohl, the use of military force is considered international practice.³⁰ The antagonistic forces of convergence and divergence in counterterrorism laws are best displayed in the struggle for a harmonized approach.³¹ There are many benefits to building international and regional alliances. It has been seen to make countries take terrorism more seriously than just mere acts of criminality; more resources would be allocated to counter-terror monitoring and streamlining of information between different anti-terror agencies.³²

The transnational nature of terrorism and violent extremism underscores the vital importance of multilateral cooperation to detect, identify, and disrupt violent extremism and bring terrorists to justice. Terrorist organizations in East Africa, such as Al-Shabaab, Islamic States, and Al-Qaeda in the Islamic

²⁷ McAleenan, Kevin. *Department of homeland security strategic framework for countering terrorism and targeted violence*. Homeland security, United States (2019), pp 12-19.

²⁸ Freese, Rebecca. *Evidence based counterterrorism of flying blind? How to understand and achieve what works, perspectives on terrorism*, (2018), pp. 9-11.

McAleenan, Kevin. *Department of homeland security strategic framework for countering terrorism and targeted violence*. Homeland security, United States (2019), pp 12-19.

²⁹ Gareau, Frederick. *State terrorism and the United States: from counter insurgency to the war on terror*. Atlanta: clarity press, (2004) p. 14.

³⁰ Stohl, Rachel. *US arms exports and military assistance in the global war on terror*, center for defense information at the world security institute, (2007), pp. 11-14.

³¹ McAleenan, Kevin. *Department of homeland security strategic framework for countering terrorism and targeted violence*. Homeland security, United States (2019), pp 12-19.

³² Mueller, John. *Terrorism since 9/11: the case of America*. Columbus, Ohio university, (2018), p. 8.

McAleenan, Kevin. *Department of homeland security strategic framework for countering terrorism and targeted violence*. Homeland security, United States (2019), pp 12-19.

Maghreb, pose an increasing threat to sub-regional peace and security.³³

Conversely, strategic counterterrorism alternately referred to as Countering Violent Extremism (CVE), has been adopted by security forces for both preventive and corrective measures.

Owing to the changing nature of security challenges in Kenya, and in particular, terrorism attributed to Al-Shabaab (ALS), the security forces have been deployed on several occasions either to respond to terrorism incidents or to preempt terror threats within the country. In order to effectively counter violent extremism and terrorism in East Africa, particularly Kenya, the Kenya Defense Forces (KDF) launched operation 'LINDA NCHI' on October 14th, 2011³⁴ This was complemented by county civil-military relations, prompted by the National Counter Terrorism Centre (NCTC) as a multi-agency instrument of security agencies built to strengthen coordination in counterterrorism.

Bognor is of the opinion that military power is the most efficient method of dealing with terror threats to the state and that governments should use their massive powers bestowed on their militaries to crush terror organizations and completely degrade their capabilities to harm any of their civilians.³⁵

It is worth noting that the deterrence theory will be used to anchor the fact that the military can be used to counter extremism because hard power generally acts as an effective deterrence. The fact is that through its use in the Horn of Africa, with regards to the Kenya-Somalia expedition, the US forces can strengthen the capabilities and will of host-government forces by providing training and equipment, disrupting terrorist activities, finding and capturing or killing terrorists, help to alienate terrorists from the populace, gather intelligence about terrorist networks and activities around the world, and protect friendly forces and bases.³⁶

According to Freese, Applying anti-terrorist legislation while conducting humanitarian missions can be a challenging mix. This is because one requires soft diplomacy while the other usually requires a hard form of diplomacy.

³³ Hoyt, Timothy. *Pakistan, an Ally by Any Other Name*. U.S. Naval Institute Proceedings, (2017), pp. 44-50.

³⁴ Botha, Anneli. *Radicalisation in Kenya: Recruitment to Al Shabaab and the Mombasa Republican Council*. ISS Paper 265, (2014), p. 107.

³⁵ Bognoe, Camilla. *Understanding the role of gender in preventing and countering violent extremism and radicalization that lead to terrorism, good practices for law enforcement*. Organization of security and cooperation in Europe, Vienna, Austria, (2019), pp 16-20.

³⁶ Freese, Rebecca. *Evidence based counterterrorism of flying blind? How to understand and achieve what works, perspectives on terrorism*, (2018), pp. 9-11.

McAleenan, Kevin. *Department of homeland security strategic framework for countering terrorism and targeted violence*. Homeland security, United States (2019), pp 12-19.

³⁷ Conditions of foreign donors and curtailing operations controlled by designated individuals have affected the ability of humanitarian organizations to be perceived as neutral and impartial.³⁸

McAleenan found that terrorism, being a global problem, still suffers from the lack of a proper remedy even after all the military interventions that have taken place throughout the years.³⁹ Therefore, it's imperative that these interventions look for long-term solutions, preferably locally homegrown solutions, that will keep extremism and extremists at bay long after combat forces have been drawn down.⁴⁰ Therefore, intervening powers must align their goals with the locals, and this must be ready from the time of intervention well into their exit strategies so that after major combat operations are over, troops can go back home, and civilian authorities can handle matters of justice and administration.⁴¹ Ending counterterrorism military intervention is hard. It is certainly harder than starting it, and, thus, it is important to consider some key measures of success for an effective exit strategy.

Once an exit structure has been determined, the intervening military powers must go the extra mile to try and rebuild the infrastructure system as part of their successful exit strategy. In order to totally quell the energy, the military takes responsibility for rehabilitating the existing structure in the process so as to be able to bring society back to life.⁴² For instance, the US has worked toward providing long-term care among host nation populations by providing training in several areas related to medicine, with positive results. These efforts can be built upon with substantial positive effects.⁴³

The military strives to work in order to develop comprehensive DDR strategies that ensure that short-term security imperatives are integrated into long-term development programming. DDR is a complex process with political, military, security, humanitarian, and socio-economic dimensions. It aims to address the post-conflict security challenge that arises from ex-combatants or ex-terrorists being left without livelihoods or support networks

³⁷ Freese, Rebecca. Evidence based counterterrorism of flying blind? How to understand and achieve what works, perspectives on terrorism, (2018), pp. 9-11.

³⁸ Dettmer, Jaimie. *Al-shabaab's jihadi recruitment drive in Minnesota*, the daily beast, (2013), p.15

³⁹ Mueller, John. *Terrorism since 9/11: the case of America*. Columbus, Ohio university, (2018), p. 8.

McAleenan, Kevin. *department of homeland security strategic framework for countering terrorism and targeted violence*. Homeland security, united states (2019), pp 12-19.

⁴⁰ Freese, Rebecca. Evidence based counterterrorism of flying blind? How to understand and achieve what works, perspectives on terrorism, (2018), pp. 9-11.

⁴¹ Mueller, John. *Terrorism since 9/11: the case of America*. Columbus, Ohio university, (2018), p. 8.

⁴² Freese, Rebecca. Evidence based counterterrorism of flying blind? How to understand and achieve what works, perspectives on terrorism, (2018), pp. 9-11.

⁴³ McAleenan, Kevin. *department of homeland security strategic framework for countering terrorism and targeted violence*. Homeland security, united states (2019), pp 12-19.

other than their former comrades during the critical transition period from conflict to peace and development.⁴⁴ DDR seeks to support the ex-combatants' economic and social reintegration so they can become stakeholders in peace. Fighting fairly is almost important, and regard for International Humanitarian Law (IHL) must be taken into consideration.⁴⁵

In 2017, Kenya's government worked to implement its national strategy to counter violent extremism, primarily through country-level action plans. They were launched in Kwale, Mombasa, Kilifi, and Lamu counties.⁴⁶ In other counties like Nairobi and north-eastern counties, the police participated in community policing, dialogues on post-traumatic stress, and early warning and early response programs.⁴⁷ These were programs that led to improvements in the handling of detainees and prisoners, and other small-scale efforts were undertaken.⁴⁸

Conclusion

The choice of the military in counterterrorism is a running theme that demonstrates the use of military means in fighting terrorism maybe sometimes useful but should not be the only course of recourse, especially for democratic nations. Until recently, many nations have employed the military in fighting terrorist forces with mixed results, but not many of them seem to identify the different situations where the military may be needed and where it may not. Though in some instances, the use of military forces only radicalizes more potential enemies than pacifies them, deterrence has to be there, and the military provides this much-needed service as even the most radical of extremists know when to make a tactical retreat in the face of overwhelming force.

⁴⁴ McAleenan, Kevin. *Department of homeland security strategic framework for countering terrorism and targeted violence*. Homeland security, united states (2019), pp 12-19.

⁴⁵ Wilner, Alex. *Targeted killings in Afghanistan: measuring coercion and deterrence in counterterrorism and counter insurgency*, 33 studios. Conflict and terrorism, (2010), pp. 6-9.

⁴⁶ Koehler, Daniel. *Violence and terrorism from the far right: policy options to counter an elusive threat*. ICCT policy brief, (2019), pp. 1-3.

⁴⁷ Koehler, Daniel. *Violence and terrorism from the far right: policy options to counter an elusive threat*. ICCT policy brief, (2019), pp. 1-3.

⁴⁸ Ibid, (2019), p. 7-9.

STOCHASTIC TERRORISM AS A POTENTIAL THREAT TO SECURITY IN THE HORN OF AFRICA

Col Robert D Muye 'psc' (K) – Kenya Army (K)

Abstract

There has been much talk about “getting inside the terrorist’s mind” in order to better understand the rationale behind terrorist attacks. A typical comment has been, “We may not agree with it, but in their minds, they [terrorists] have good reasons for what they’ve done.” The idea is that perhaps we should be able to win the “war on terror” by simply using a compassionate approach so as to understand the cause of the grievances of those who seek to justify the deliberate taking of innocent lives.

The threat of terrorism in the world is spreading and destabilizing many regions. For instance, the rise of violent extremism in Africa has created threats resulting in death, destruction, and instability in states where terrorist groups operate.

This article will discuss the “Concept of Terrorism”, showing how it is at the forefront of security threats facing the world and the “Evolution of Terrorism” in a bid to highlight the terrorism problem. It will describe “Stochastic Terrorism” and the term “lone wolf” so as to distinguish terrorist actions carried out by individuals from those coordinated by large groups.

Introduction

Violent extremism and terrorism continue to rise, quickly destabilizing regions in the world through the destruction of property, injury, and death of people. To date, there has been no clear definition of terrorism, with many being highly subjective and determined by political and economic considerations.¹ A school of thought believes that terrorism is still a relevant topic for most governments around the world due to the nature of the consequences it can unleash.²

Terrorism has taken the limelight among the mounting security threats facing states globally.³ Governments are grappling with the right stratagems to combat the ever-evolving terrorism trends despite the fact that few countries

¹ Knudsen, D. *A new wave of African counterterrorism legislation: contextualizing the Kenyan security laws*, Georgetown journal of international affairs, (2015), pp. 8-11.

² Brill, S. *Is America any safer?* The Atlantic, (2016), pp2-5.

³ White, J. *Terrorism and the Mass Media*. Royal United Service Institute for Defence and Security Studies, Occasional paper. Washington D.C, United States of America, (2020), pp. 7-11.

have developed and implemented strategies specifically targeted at permanently countering terrorism.⁴

Terrorism will be examined through the lenses of the “deterrence,” “game,” and “securitization” theories in order to comprehend how terrorists and counter-terror agencies use both elements of control and power, with the ultimate impact on the international sphere. This article will consider these counter-terrorism strategies in light of the evolving nature of terrorism in the contemporary world.

Deterrents Theory. Deterrence is a coercive strategy that is based on conditional threats aimed at influencing an adversary to either undertake a certain course of action or dissuade them from pursuing undesirable goals.⁵ Deterrence involves both elements of control and power, with the ultimate impact on the international sphere.⁶ The debate on Deterrence gained prominence at the end of World War II when military power went from being a means to defeat the adversary to being considered a key piece of bargaining power employed to avoid wars by means of coercion and intimidation.⁷ In addition to its potential effectiveness, the Deterrence of terrorism activities is cheaper than its alternative, continuous conflict.

The Concept of Terrorism

The terrorism problem lies in collaboration between various parts of our society through the use of both military and non-military tools.⁸ Stochastic terrorism refers to seemingly random terrorist attacks, usually against a particular individual or group, that is brought on by the use of mass public communication to incite or inspire those acts of terrorism.⁹ The increased tensions in political discourse have a direct correlation to unpredictable acts of violence and domestic terrorism.¹⁰

Globally, the history of non-terrorist lone wolf attacks began in the 1940s but only received public attention in the 1990s because of the frequent usage

⁴Debisa, G. *Security diplomacy as a response to Horn of Africa's security complex: Ethno-US partnership against al-Shabaab*. Politics and International Relations, Cogent Social Science, Volume 7, Issue 1, (2021), pp. 4-8.

⁵Possony, S. T. (1946). Atomic power and world order. *The Review of Politics*, 8(4), pp. 533-535.

⁶Schelling, Thomas C., and Harvard University Center for International Affairs. 1966. *Arms and influence*. Yale University Press.

⁷Schelling, T. C. (1980). *The strategy of conflict*: [with a new preface]. Cambridge, Mass: Harvard Univ. Press. Ibid, (2021), p. 11.

⁸Ibid, (2021), p. 11.

⁹Lorenzo, O. *Challenges of the Modern Century*. Samton Desktops Edition, Atlanta, Georgia, (2019), p. 15.

¹⁰Young, J. *The Twenty Four Hour Professor*. *The Chronicle of Higher Education*, 48, (2016), pp. 31-34.

of Islamic terrorist groups; since then, domestic non-terrorist lone wolf attacks have flourished. Stochastic terrorism is a relatively budding subject area in its evolution and has been associated with individuals, terrorist groups, and state actors. Thus, this study aims to produce scholarly literature that will help in promoting security in Africa through effective counter-terrorism strategies, particularly in Kenya.

The term “lone wolf” or “stochastic terrorism” is used to distinguish terrorist acts by individuals from those coordinated by large groups; a random model of those terror attacks is intended by the random nature of their timing and targets to excite a generalized fear.¹¹ Lone wolf attacks are rare, and what appears to be a lone wolf attack may actually have been carefully orchestrated from outside. Since 1940, there have only been around 100 successful lone-wolf attacks in the United States.¹² The number of attacks is increasing, however, and has grown each year.

In the African context, as scholars continue to see an increase in these horrific attacks, it's become more important from a security standpoint to proactively prepare for active shooter or mass casualty incidents, including acts of stochastic terrorism.¹³

In sub-Saharan Africa, lone wolf attackers who become inspired by al-Qaeda and ISIS tend to be younger and better educated. According to the United Nations, lone wolves have more in common with mass murderers than they do with members of organized terrorist groups that often inspire them¹⁴. While the lone wolf acts to advance the ideological or philosophical beliefs of an extremist group, they act on their own, without any outside command or direction. The lone wolf's tactics and methods are conceived and directed randomly, solely on their own; in many cases, the lone wolf never has personal contact with the group they identify with. As such, in Kenya, counter-terrorism efforts against this kind of terrorism are more difficult, as they may not come into contact with routine counter-terrorism surveillance.¹⁵

¹¹ Debisa, G. *Security diplomacy as a response to Horn of Africa's security complex: Ethno-US partnership against al-Shabaab*. Politics and International Relations, Cogent Social Science, Volume 7, Issue 1, (2021), pp. 4-8.

¹² Ibid, (2021), pp. 13-15.

¹³ United Nations. The African regional high-level conference on counter-terrorism and the prevention of violent extremism conducive to terrorism, Nairobi, Kenya (2019).

¹⁴ United Nations. The African regional high-level conference on counter-terrorism and the prevention of violent extremism conducive to terrorism, Nairobi, Kenya (2019).

¹⁵ Keats, J. *How Stochastic Terrorism Lets Bullies Operate in Plain Sight*, (2020), pp. 9-11.

The rise of violent extremism in Africa has created threats resulting in death, destruction, and instability in the affected states.¹⁶ Even though countering it is not always the best option, especially because of the complexity and sensitivity of the violent extremist process, there is still a need for a sustained focus on countering extremist measures that may give birth to other forms of terrorism such as stochastic terrorism.

The VE threat in East Africa is higher today than it was a decade ago. In Somalia, an al-Shabaab attack in a hotel on June 12, 2019, led to the loss of a prominent Canadian-Somali journalist and other foreign nationalities, including 1 Briton, 3 Kenyans, 3 Tanzanians, and 2 Americans.¹⁷ Therefore, violent extremism is a growing regional concern with particular relevance to Kenya and its regional neighbours. But, in the absence of effective countermeasures by the security forces, the drivers of extremism will continue to stoke a perpetual cycle of terror activities.

Kenya has suffered its fair share of terror-related attacks. In early 1975, the first bombs to strike independent Kenya exploded on a Nairobi bus on March 1 and killed 30 people. There was also the 1980 Norfolk bombing that partially destroyed the hotel, killing 20 people and wounding 87 others.¹⁸ The worst terrorist attack in Kenya was in 1998 at the American Embassy bombing; others were the attacks at Westgate in Nairobi, Garissa University, and Mpeketoni. This escalation illustrates the immediate need for Kenya's security forces to step-up efforts at countering violent extremism and new and emerging terror activities such as stochastic terrorism.

Securitization theory shows us that national security policy is not a natural given but carefully designated by politicians and decision-makers. According to securitization theory, political issues are constituted as extreme security issues to be dealt with urgently when they have been labelled as “dangerous”, “menacing”, “threatening”, “alarming”, and so on by a “securitizing actor” who has the social and institutional power to move the issue “beyond politics”.

Therefore, calling stochastic terrorism a “threat to national security”, for instance, shifts immigration from a low-priority political concern to a high-priority issue that requires action, such as securing borders. Securitization theory challenges traditional approaches to security in IR and asserts that issues are not essentially threatening in themselves; rather, it is by referring

¹⁶ The United Nations. *The African regional high-level conference on counter-terrorism and the prevention of violent extremism conducive to terrorism*, Nairobi, Kenya (10-11, July 2019).

¹⁷ Bryden, Matt and Bahra, Premdeep. *East Africa's Terrorist Triple Helix: The Dustit Hotel Attack and the Historical Evolution of the Jihadi Threat*. Volume 12, Issue 6, (2019), pp. 12-18.

¹⁸ Botha, Anneli. *Radicalisation in Kenya: Recruitment to Al Shabaab and the Mombasa Republican Council*. ISS Paper 265, (2014), p. 107.

to them as “security” issues that they become security problems. Thus, The Copenhagen School offers a radically constructivist perspective on how “security problems emerge and dissolve by suggesting that security threats are socially constructed in a process called securitization.” Securitization is a collective of policies emanating from governments, leading political parties, public opinion, and even the media in which immigration is viewed as a security threat.

The securitization theory is seen to enable governments to declare threats to the existential security of the state merely by declaring a clear and present danger, even though there need not be one. By doing so, the actor has claimed the right to handle the issue through extraordinary means to ensure the reference object's survival. The war on terror has had a major impact on the securitization of the terrorism problem in east Africa.

Conclusion

It might be absurd to suggest that terrorism could ever be morally justified. How could an act that is so indiscriminately violent be morally justified? If we condemn unjust wars and disproportionate attacks during military operations if we condemn the targeting of civilians in the context of war, and if we condemn the indiscriminate attacks on the enemy's infrastructure, are we not also committed to condemning any terrorism in which violence, or the threat of violence, is inflicted upon innocent people?

Regardless of what school of thought one belongs to, we have to agree that the existing counter-terror strategies being employed are inadequate to deal with contemporary terrorists. The early prevention of violent extremism, radicalization and stochastic terrorism is not achievable by the state and security services alone. Both hard and soft power has to be used judiciously in a delicate balance to defeat the terrorist mind.

Further, Kenya should employ counter-terrorism strategies in full compliance with the country's pre-existing obligations under international law, particularly in relation to the absolute prohibition of torture and other ill-treatment (which includes the absolute principle of non-refoulment) and the absolute prohibition on enforced disappearance. Therefore, early prevention of violent extremism, radicalization and stochastic terrorism is not achievable by the state and security services alone.

To this end, Kenya established County Action Plans for CVE in all 47 counties to further implement its National Strategy to Counter Violent Extremism. The NCTC led Kenya's Country Support Mechanism, which awarded grants for community CVE initiatives. Police in Nairobi and coastal and northeastern

counties participated in community engagement training in early warning and response programs. However, NCTC's "piloting" of small-scale efforts to disengage, rehabilitate, and reintegrate former terrorists lacks clear legal frameworks and supportive public messaging campaigns.

THE ROLE AND CHALLENGE OF THE MILITARY IN COUNTERTERRORISM IN THE HORN OF AFRICA

Col Silver C Muhwezi - Uganda Peoples' Defence Forces

Abstract

Using secondary sources, the article analysed the role of the military in counter-terrorism in the Horn of Africa. The article argued that although the military plays a noticeable role in combating terrorism, it is not an appropriate tool for dealing with counterterrorism, especially if it is used as a primary instrument. For instance, the United States' invasion of Afghanistan in 2001 ended with mixed outcomes, while the African Union's military campaign against terrorist groups such as al-Shabaab (AS) since 2007 is yet to bear fruit. The primary questions were: what role does the military play in counter-terrorism, and what specific challenges does the military face in counter-terrorism in the Horn of Africa? This article used a combination of theories that supplement each other; the soft power theory as advanced by Joseph Nye and the foundation of power theory as advanced by Hannah Arendt. Both conceptions emphasise the attraction of people to a cause without forcing them to do so. According to the article, the military plays a significant role in combating terrorism, such as preemption, defense, and support to civil power. However, the threat of terrorism still lingers on. Military intervention and counterterrorism campaigns have proven to be problematic in the fight against terrorist groups such as al-Shabaab. The harsh reality is that states' reliance on military superiority does not guarantee a successful military campaign. There are both military and political challenges in the use of armed forces in counterterrorism, which calls for a holistic, multi-tiered approach to the lines of security.

Introduction

Terrorism continues to be one of the key challenges to global peace and security and poses a major threat to national security. The application of military force to counter-terrorism (CT) intensified after the Al-Qaeda terrorist attack against the United States (US) on September 11, 2001. Before then, the military option had been less utilised. With the United States' declaration of a global war on terror, many governments have used the military to combat terrorism, beginning with the US invasion of Afghanistan, a campaign that ended with mixed results. Apparently, heavy reliance on the use of force

has not delivered as expected. In the Horn of Africa (HOA), despite states' military efforts, individually or collectively, to fight terrorist groups such as al-Shabaab, terrorism remains a great threat in the sub-region. There are two main questions: what role does the military play in counterterrorism and what specific challenges does the military face in counterterrorism in the HOA? Using secondary sources, the article analyses the role and challenge of the military in combating terrorism in the HOA. It argues that although the military plays a noticeable role in combating terrorism in the sub-region, it is not an appropriate tool for dealing with CT due to military and political challenges, unless used in secondary roles. Heavy reliance on the military is no guarantee of the successful achievement of political objectives, which calls for a comprehensive approach to CT.

In terms of definitions, there is no universally accepted definition of terrorism.¹ James and Brenda define terrorism as the "indiscriminate use of violence..." and governments define a terrorist to suit their legal system.² Most counterterrorism strategies rely on realistic conceptions of power based on military superiority, which might lead to failure. As a lens of analysis, this article employs a combination of theories that supplement each other: Joseph Nye's soft power theory and Hannah Arendt's foundation of power theory. Both theories emphasise the attraction of people to a cause and the importance of the power of numbers as people work in concert or gain popular support without forcing people to do so. This is very relevant for any CT campaign to succeed. Also, Sen argues that army aid to civil power should be limited only under circumstances of grave threats to domestic security, beyond the capability of civil power.³ The employment of military power in counterterrorism has been extensively debated and remains a controversial issue. Therefore, using CT experiences in the HOA, the article endeavours to contribute to the debate. This article covers the role of the military in counterterrorism and the challenges the military faces in counterterrorism in the HOA.

Military Roles in Counterterrorism

Pre-emptive Actions. Armed forces have been utilised to preempt terrorist group plans so as to protect citizens against the possibility and level of threat

¹ Gary La Free, "Conceptualisation and Measuring Terrorism" in *Handbook of terrorism and counterterrorism ed.*, Andrew Silke (London: Routledge Taylor and Francis Group), p. 22.

² James M. Lutz and Brenda J. Lutz, *Global Terrorism* (London and New York: Routledge Taylor and Francis Group, 2008), pp. 9-14.

³ S Sen, "Role of the Army in Combating Terrorism" in *Police Journal* vol.64, no.1 (January/March, 1991), 58-62.

posed by terrorist groups. For instance, in 2011, Kenya used the military to attack the al-Shabaab terrorist group in Somalia on account of its continued threat to the country. Uganda continues to use military power against Allied Democratic Forces (ADF) based in the Eastern Democratic Republic of Congo (DRC). In the case of domestic terrorism, in most cases, armies have been ordered to deploy immediately in the event of a crisis to isolate terrorist members from the populace. However, evidence shows that the military alone cannot achieve the pre-emption objective. In all cases, the threat of terrorist attack against targets still persists, despite the terrorist militants' degraded status. It is noted that, like insurgents, terrorists are secretive in their plans. They also mix well with the population, try to alienate their audiences from governments, and can exploit deep-seated local grievances or weaknesses in the state governance and security apparatus. Therefore, the persistence of terrorism in the region is attributed to those factors, which should be considered in planning. So, in addition to the direct use of military power for preemption, there are other varied mechanisms to support it, such as sound intelligence, which largely depends on human intelligence and can be achieved with people's willingness. There is also the use of special counterterrorism units, law enforcement agencies, diplomatic means, concessions, and reforms.

Deterrence War. It is essential to use the military when a state wants to tame or deter acts of terrorism, including the use of Special Forces to contain domestic or international terrorism. The presence of armed forces might demonstrate the nation's capabilities, so great deterrence can be achieved. However, it requires a massive show of force by deploying the entire army and air force, which is counterproductive. To the public, it portrays the insurgents' strength. There is also a danger of troops trained for conventional warfare not understanding or not being equipped to fight insurgents. Often, government troops have been surprised by the terrorist combatants, who carry out coordinated attacks against unsuspecting military outposts. It also takes effort to train troops to prevent, deter, and respond to terrorism threats anywhere, at any time. At the peak of terrorism and piracy at sea off Somalia's coast, navy forces needed time to collaborate to provide escort duties to the fishing fleet vessels with large calibre weapons on board.⁴ Also, for deterrence to be effective, it needs to be supplemented with sound intelligence⁵ dependent on early warning systems.⁶ However, there is always an intelligence failure

⁴ Annina Cristina Burgin, "Spanish Maritime Security Governance" in *Maritime terrorism and piracy in the Indian Ocean Region*, eds., Awet T. Weldemichael, Patricia Schneider and Andrew C. Winner (London and New York: Routledge, Taylor & Francis Group, 2015), p. 26.

⁵ Richard Miriti, *Threat of Terrorism*, pp. 39-41.

⁶ Vladimir Lukov, "Counterterrorism Capabilities: Preventing Radiological Threats." *Connections*, the

to predict when and where this will take place, as examples of recent ADF bombings in Kampala, Uganda showed. The ADF has bases in the ungoverned spaces of eastern DRC, where they spring their attacks, and they are linked to domestic networks in Uganda. Generally, good governance, solving people's grievances, respecting and upholding values, and building institutions to deny safe havens are important aspects in CT.

Defence. The physical protection against attack from terrorist combatants as well as denying enemy-held territory are major reasons for the use of the military. When the nature and severity of the existential threat is great, the military adopts a defensive posture. For state-sponsored terrorism, a state can "initiate actions to make the support of terrorism altogether too costly for self-defence"⁷ purposes. In this situation, diplomacy should precede military action. Uganda and DRC provide a recent example, following the renewed ADF terrorist attacks in Kampala and subsequent engagements between the two countries. Military action should only be considered as a form of war based on certain criteria as suggested by classical thinkers such as Sun Tzu, Liddell Hart, and Clausewitz.⁸ For some groups, such as al-Shabaab, which appear to have a strong appeal to their audience in Somalia, negotiations and compromise can also be applied to supplement military effort to achieve the goal.

Military Support and Assistance. Armed forces support police and other law and order enforcement agencies when called upon to assist. The police should take primacy since the armed forces bring reinforcements to the police effort. The military is better used when violence is beyond containment by police, as it is not possible for police to deal with hardened groups like al-Shabaab or ADF combatants. In low-intensity situations, the armed forces provide information to the police. They conduct covert operations using deep-cover agents into terrorist organizations. They carry out escort duties and security of very important people and vital installations, as African Union (AU) troops do in Somali cities and towns. The army also takes part in cordon and search operations. In the case of Somalia, however, there was no civil power to support at the beginning of the AU deployment. The intervention force was on its own, taking precedence. The military presence on the streets of Mogadishu and other towns brought hope and despair, as terrorist militants resorted to attacking undefended civilians. Although such actions are counterproductive against the terrorists, this largely discredits the force; it demonstrates the inability to protect the people. So, a successful domestic or foreign response

Quarterly Journal 4, no. 2(Summer 2005), p.54 <https://www.jstor.org/stable/10.2307/26323171> (Accessed on 19 July 21 11:47).

⁷ Karim, *Counter Terrorism the Pakistan Factor*, p. 3.

⁸ Ibid.

to terrorism includes a blend of police, intelligence, community policing, civil-military relations, and military (or paramilitary) capabilities, operating according to the principles of Military Aid to the Civil Authority or Power.⁹

Response to an attack. A state can respond militarily when attacked by a terrorist group, home-grown or international. Kenya, Ethiopia, and Uganda have demonstrated this by using maximum force for the speedy elimination of terrorist or insurgent groups. Simply put, the police and other civil authorities are incapable of dealing with it. Since Somalia lacked a central government and eastern DRC lacked a properly functioning authority, military intervention has been critical in neutralizing terrorist bases. For state-sponsored terrorism, military measures can be adopted when the conflict is viewed as one of war, such as the approach taken by the USA in 2001.¹⁰ However, evidence shows that there are problems associated with the approach, such as a lack of political will and orientation. The enemy can also use its propaganda machinery to thwart states' efforts, as in the case of al-Shabaab, who alleges that African intervention in Somalia is a form of neo-colonialism and anti-Islamic values in the case of Christian-dominated Ethiopia. Forces also tend to follow the ethos of conventional warfare and make mistakes. Outside the HOA, due to the many mistakes made by conventional North Atlantic Treaty Organisation (NATO) forces in Afghanistan and Iraq, al Qaeda leaders asked, "What has America achieved by attacking Afghanistan?"¹¹ Mistakes provide a catalyst for terrorist recruitment on grounds of resentment and anger.¹² So, deliberate policy decisions, training of troops, and preparations have to be carefully made.

Challenges

Politically, when the military deals with domestic terrorism, political and constitutional challenges can arise. Military force can escalate into repression and damage the government's legitimacy. Notably, both state and non-state actors, i.e., terrorists, compete for the support of the population. It also undercuts the tactical advantages stemming from its actions, and the challenge is more pronounced in liberal democracies. Although most states in the HOA

⁹ Jenny Hocking, "Terrorism and Counter-Terrorism: Institutionalising Political Order." *The Australian Quarterly* 58, no. 3(Spring, 1986), p.303. <https://www.jstor.org/stable/20635385> (Accessed on 19 July 2021 11:48).

¹⁰ Lutz and Brenda, *Global Terrorism*, p. 279.

¹¹ Paul L. Williams, *The Al-Qaeda Connection: International Terrorism, Organised Crime, and the Coming Apocalypse* (New Delhi: Viva Books Private Limited, 2006), pp.12-13.

¹² Rohan Gunaratna, "Strategic Counter-Terrorism: A Game Changer in Fighting Terrorism?" *Counter Terrorist Trends and Analyses* 9, no. 6 (June, 2017), pp. 1-2. <https://www.jstor.org/stable/10.2307/26351525> (Accessed on 19 July 2021 11:42).

have young democracies, a focus on the use of military force against terrorists has been viewed as less democratic and intolerant. Military use might contradict constitutional provisions or result in authoritarian rule. In operations away from home, the government might lose political credibility at the international level as Uganda's military interventions in DRC in the 2000s met international condemnation. On the ethical aspect, it can encourage human rights abuses and other ethical issues that do not rime with democracy. Outside the region, the post-2001 "War on Terror" received a lot of criticism expressed by foreign governments, members of Congress, human rights activists, journalists, and academia. The application of air power by the USA is reported to have killed many Muslims in Iraq, including the annihilation of entire families from among the Arab jihad fighters in Afghanistan¹³ directly or indirectly, which attracted worldwide condemnation.¹⁴ So, military operations in another country can generate indigenous resentment that terrorist groups can exploit. In the HOA, counterterrorism initiatives against al-Shabaab have compounded a deep sense of alienation among those sections of the population, especially the Muslims.¹⁵ Thus, when the military becomes ineffective as a law enforcement tool, the alienation of the population can have political ramifications.

As regards military challenges, sometimes the use of a militaristic approach can have strategic disadvantages and limitations. The disadvantage is that troops are rarely prepared for counterinsurgency or counterterrorism operations, necessitating the use of traditional tactics to gain control of a population or territory. Until recently, most countries in the HOA had no established peace support operations training schools. So, their militaries have largely undergone training for conventional tactics and strategies. The main challenge is the inability of the military to cope with the ability of terrorists to change form, organization, and structure. There is also a lack of joint training and procedures for interaction between intelligence and police. The question of the excessive use of military force also has a limitation. It might produce a backlash in the operation area. With overwhelming force, numbers can be applied to win or suppress terrorist groups. However, evidence shows that terrorist groups such as al-Shabaab can continue to maintain resilience. It can also raise the prestige of the group in question, hence elevating their cause in the international arena. The forces might end up conducting a campaign of repression against the civilian populace. Tactics used against terrorists can promote widespread

¹³ Williams, *Al-Qaeda Connection*, p. 18.

¹⁴ *Op cit.*, pp.12-13.

¹⁵ Jeremy Prestholdt, "Kenya, the United States and Counterterrorism," in *Africa Today* vol. 57, no. 4 (Summer 2011), 4. <https://www.jstor.org/stable/10.2979/africatoday.57.4.3> (Accessed on 19 July 2021 11:50).

support for the group, resulting in a recruiting ground for them. One can win tactical battles but lose strategic level objectives. The aggressive nature can easily permeate all aspects of the campaign. The use of force might not translate tactical successes into the desired strategic outcomes, which requires training of troops in the application of controlled violence. A concerted, joint national effort is required, adopting a kind of a balanced approach and a mix of tools. The use of the 'light footprint approach' as applied in Afghanistan and the use of Special Forces that replaced the counterinsurgency model¹⁶ These are capable of keeping the fight in countries where terrorist groups have established themselves.¹⁷

Conclusion

In conclusion, there are specific scenarios when the use of the military in response to threats posed by terrorist groups in the HOA has been essential. However, military actions must be integrated into an overarching, politically directed strategy, which has been lacking. All states confronted with terrorism challenges should consider the likely negative impact emanating from the application of military force. Measures should be based on critical analysis. The great value of military power has been the addition of personnel to allow the police to effectively complete their job. In low-intensity scenarios, military forces should be very visible to the populace but not involved in arrests, interrogations, or confrontations with the public. During high-intensity operations against well-organised insurgents, states can use armed forces to fight domestic terrorism when the police and judicial arms of the government are unable to address the threat. In the case of state-sponsored terrorism, other means such as diplomacy should take precedence. However, in all cases, the use of military means has to be integrated into the grand, overall national strategy, to circumvent some of the political and military challenges that states continue to encounter during CT. Soft power and popular support are relevant concepts to take into consideration when devising a counterterrorism strategy. This would limit terrorists' capability and ability to achieve their strategy.

Finally, terrorism frequently coexists with other forms of internal conflict, often indistinguishable from counterinsurgency, and can be a byproduct of internal wars fueled by local grievances, where police and other law enforcement agencies take precedence; ultimately, a comprehensive, holistic approach, including negotiations with or confrontation with terrorists with

¹⁶ Michael J. Boyle, "The Military Approach to Counterterrorism" in *Handbook of Terrorism and Counterterrorism* ed. Andrew Silke (London and New York: 2019), 386.

¹⁷ Ibid.

the military, may suffice.

AN AFRICAN PERSPECTIVE ON SECURITY REFORMS FOR SUSTAINABLE DEVELOPMENT

Col William L. Kamoiro, OGW 'psc' (K) – Kenya Army

Abstract

Security determines the level of development in a country. The insecurity facing countries in Africa is a cause for stalled development processes in the region. African states require security sector reforms. Security forces have earned an unflattering reputation on this continent because of their actions against civilians that violate fundamental human rights. Security sector reforms within African countries will prevent conflict and offer guidelines for effectively managing the forces. Therefore, this research paper focused on determining how security reforms can bring about sustainable development in African countries by answering the following questions: What is the importance of sub-regional cooperation in implementing security reforms for development, and what is the role of internal and external stakeholders in introducing security reforms for sustainable development? The study established that a sub-regional approach is necessary to prevent the spillover of conflicts from neighbouring states. The participation of all relevant stakeholders in meaningful dialogues is necessary for the successful implementation of effective reforms.

Introduction

The relationship between security development and complexity is indisputable. There is a consensus among development actors and security thinkers that security is a precondition for sustainable development.¹ Africa is steeped in instability and armed conflict, responsible for the stalled development processes of several states in this continent. The majority of the devastating conflicts in Africa are intra-state in nature and have led to poverty, despair, refugee problems, disease, and poverty. As a result, there is an urgent need for African states to make progress in resolving insecurity issues to strengthen the foundation for development. The study has adopted the rational choice theory because the improvement of security depends on all stakeholders' rational decision-making.

¹ Olonisakin, F. *Security and Sustainable Development: an African Perspective*. The United Nations, 2004. P.27

Security Sector Transformation

The security sector is a vital aspect of every functional democracy.² Therefore, security sector reform is a crucial enabler of development and peace agendas. Security reform as a driver of development is needed in several African states. Firstly, in several countries, security sector personnel have assumed and exercised powers they have not been given. Their operations are extrajudicial, and their actions are intrusive. They have become perpetrators of repression, harassment, and intimidation of the citizens they are supposed to protect.³ Countries can only achieve stability and development when the institutions responsible embark on positive reforms. They include security institutions and the military, which are at the heart of security issues that stall development and prevent stability. Their negative behaviour has led to increased mistrust between the civil population and security institutions.

The second reason reforms are necessary for this sector is due to the politicization of the security apparatus, which has contributed to the weakening of the security sector in Africa. The politicization of security forces in this continent is rooted in colonial history, and it is why political actors back the majority of military coups in this continent. Political parties in Africa continually try to gain sympathizers in the military to seize power when crises occur.⁴ The manipulation of security force allegiances has been observed in many African countries. For instance, in Cote d'Ivoire, the first president would pay higher salaries to military officers than what was paid to other civil servants.⁵ The politicization of security forces means that they have cast aside the image of neutrality and unity and become part of the political game. This leads to political instability, insecurity, and underdevelopment of a country. Therefore, reforms are necessary to restore the neutrality of security forces, which is a foundation for security and development in a country.

There are many principles and steps that African states can institute to guide the sound governance of their security sectors and begin the process of their transformation. The responsibilities of the government towards the state's security forces should be outlined, and there should be clear principles for managing security forces. For security force reformation, the African

² Bryden, Alan, and 'Funmi Olonisakin. *Security Sector Transformation in Africa*. Münster: LIT Verlag Münster, 2010

³ Olonisakin, F. *Security and Sustainable Development: an African Perspective*. The United Nations, 2004. P.29

⁴ Bendix, D., and R. Stanley. *Security sector reform in Africa: The promise and the practice of a new donor approach*. African Centre For The Constructive Resolution Of Disputes, 2008.

⁵ Ouédraogo, Emile. *Advancing Military Professionalism in Africa*. Africa Center for Strategic Studies, 2014. P. 19

states also have to provide their security forces with adequate resources to accomplish their missions and prevent any interference by political actors.⁶ The transformation would strengthen states' security institutions, thereby creating a conducive environment for development.

Incorporating a Sub-regional Approach for Sustainable Development

Comprehensive security sector reforms and improvements in other state institutions are vital to fostering development in African countries. However, there is a risk that external factors can derail changes. A better opportunity for sustainable development is likely to occur when corresponding reforms in the neighbouring states face development challenges. A sub-regional approach is viable because conflicts tend to spill over to neighbouring states and hamper a state's reform process. A case in point is Sierra Leone in 1991.

When armed conflict erupted in Liberia, it also triggered one in Sierra Leone, and later, Sierra Leone's rebuilding process after the war was continually threatened by the insecurity in Liberia. Taking a sub-regional approach to foster development is suitable for African states. This requires an increased focus on regional institutions like the East African Community (EAC), the Economic Community of West African States (ECOWAS), and the Southern African Development Community (SADC).⁷ The member states of ECOWAS and SADC have verified the effectiveness of taking a regional approach through their commitment to good governance, democracy, and human rights.

The New Partnership for African Development (NEPAD) is a major step in the direction of African states' taking an integrated approach to fostering sustainable development. The regional approach is heavily dependent on the commitment and will of the concerned governments and their desire for long-term cooperation. Initially, regionalism was all about trade, but modern regionalism promoted security and development. Increased collaboration between states will stem from African leaders recognizing they share mutual vulnerabilities with their neighbours.⁸

⁶ Olonisakin, F. *Security and Sustainable Development: an African Perspective*. The United Nations, 2004. P.30

⁷ Oloruntoba, Samuel O., and Mammo Muchie. *Innovation, Regional Integration, and Development in Africa: Rethinking Theories, Institutions, and Policies*. Basingstoke: Springer, (2018) 1-10.

⁸ Reno, William. "The Regionalization of African Security." *Current History* 111, no. 745 (2012), 175-180. P. 175

The Role of Internal and External Actors in Security Sector Development Reforms

As mentioned earlier, African states require reforms in their security sectors to create a conducive environment for development. Stakeholders such as leaders of institutions, particularly the military and police, local leaders, civil society actors, the media, and wealthy citizens with clout in the state must all opinion on security reforms. All these actors need to agree on the elements of reform because their influence on development is significant. Dialogue with both internal and external stakeholders helps create critical dynamics of change. It builds confidence, reduces uncertainty, and creates an avenue for compromise solutions. The discussion process engages reform-minded elements. Leaders in the military or the police force can perceive security reforms as a threat to their status, position, and expertise. This problem can occur when the planned reforms do not consider the rights of the security leaders or emphasize the benefits to be gained by police institutions from their implementation.⁹

Security reforms to promote development in African states should also consider the bridge-building process. This entails including the public, civil society, and the media in shaping security reform agendas and their implementation.¹⁰ Meaningful and high-level participation of these domestic stakeholders is the basis for sustainable security reforms in Africa. Reforms endorsed by local actors produce better results than externally-driven reforms. Therefore, international partners should not design the template for reform but should only support the change. This is because externally imposed changes to the security model rarely succeed. The media and civil society play an important role in meaningful dialogue because they give voice to the public's concerns and offer feedback on the security needs of the people.

Conclusion

The role of security forces within structures of governance influences the level of security and stability of a state and the extent to which it can achieve sustainable development. If the security sector is preoccupied with maintaining a regime in power, all resources will be diverted to security, leaving a little for the productive sector. Also, when security forces engage in activities that violate human rights, they create instability that hampers development. These are the conditions of several African states, so reforms in this sector

⁹ Bryden, Alan, and 'Funmi Olonisakin. *Security Sector Transformation in Africa*. Münster: LIT Verlag Münster, 2010

¹⁰ Ibid

are necessary to foster development. Their responsibilities should be clearly defined to eliminate mistreatment of citizens and prevent the politicization of the security sector. This paper has also shown the importance of taking a sub-regional approach in security sector transformations and involving all the necessary stakeholders for long-term change.

Bibliography

- Bendix, D., and R. Stanley. *Security sector reform in Africa: The promise and the practice of a new donor approach*. The African Centre For The Constructive Resolution Of Disputes, 2008.
- Bryden, Alan, and Funmi Olonisakin. *Security Sector Transformation in Africa*. LIT Verlag Münster, Münster, 2010.
- Olonisakin, F. *Security and Sustainable Development: An African Perspective*. The United Nations, 2004.
- Oloruntoba, Samuel O., and Mammo Muchie. *Innovation, Regional Integration, and Development in Africa: Rethinking Theories, Institutions, and Policies*. Basingstoke: Springer, 2018.
- Ouédraogo, Emile. “Advancing Military Professionalism in Africa.” Africa, Center for Strategic Studies, 2014.
- Reno, William. “The Regionalization of African Security.” *Current History* 111, no. 745 (2012), 175–180.

CLIMATE CHANGE: A THREAT TO KENYA NATIONAL SECURITY

Mr. Stanley K Mwangi - Ministry of Foreign Affairs

Abstract

One of the defining and unprecedented issues of the twenty-first century is climate change, with its attendant wide-ranging and devastating effects. An emerging global consensus indicates that climate change ramifications will stress the political, economic, and social systems that support peace, growth, and security in many countries across Africa. The United Nations Environment Programme Information Unit observed that climate change is a crisis multiplier with great potential to undermine international peace and security and that Kenya is one of the countries experiencing extreme changes in climatic conditions in recent decades.¹

It has been established that climate change is largely caused by human-related activities like unsustainable agricultural practices, destruction of forests that act as carbon sinks, pollution, and excessive use of fossil fuels that produce greenhouse gases, resulting in global warming. In Kenya, the adverse effects of climate change are increasingly becoming more pronounced, as evidenced by unpredictable weather patterns, rising temperatures, erratic rainfall, rampant droughts, higher incidents of floods, displacements, and conflicts. These risks endanger national security by undermining food security, straining the economy, negatively impacting health, and sparking resource conflicts.² This article examines how climate change threatens Kenya's national security and what can be done to mitigate the adverse effects of climate change.

Introduction

Despite the fact that Africa's contribution to the climate change crisis is significantly minimal at three percent of total global carbon emissions, countries in Africa, including Kenya, are highly vulnerable as compared to those in other continents that are more advanced economically and technologically. In Kenya, the climate change crisis portends grave consequences for the country's national security, and, despite the widespread efforts taken by the

¹ Antonio, G. (2021). *"Climate Change, Biggest Threat Modern Humans Have Ever Faced"*. United Nations, SC/14445.

² Koske, J. (2014). *"Vulnerability to Climate Change and Conflict"*. Case Study of Pastoral Communities in Northern Kenya. Pp. 46.

national government, county governments, private sector, non-governmental organizations as well as members of the public to combat the climate change crisis, this unrelenting menace continues to significantly undermine Kenya's national security.³

The constitution of Kenya asserts that all citizens have a right to a clean environment. At the same time, Kenya Vision 2030, the country's main development blueprint, strives to provide Kenyans with a high-quality life. This aspiration cannot be realized without safeguarding the environment and ensuring climate security. This claim contends that healthy progress cannot be realized devoid of climate security. As a result, prioritizing environmental protection as a basic human right will guarantee that Kenyans have access to clean drinking water and a clean environment. According to the United Nations Environment Programme (UNEP), Kenya's climate security vulnerability is worsening, portending a bleak future for the country if nothing is done. As a national security challenge, climate change has debilitating effects across all sectors of development, from economic, political, social, and cultural, among others.⁴

In Kenya, as in many other African countries, climate change may negate the significant human progress realized over the decades, as new challenges to food and nutrition security, agricultural output and accessibility, nourishment, and health care emerge. By 2030, the effects of climate change, which include rising sea levels, droughts, heatwaves, and rainfall fluctuations, could force many people into starvation, and millions more will face water shortages.⁵ In this write-up, the green theory has been used to help explain some relationships between climate change and national security. The theory contends that climate change concerns adversely affect political, economic, health, and environmental security and may disrupt human security and relations between communities due to conflicts over resources, all of which have great ramifications for national security. It further asserts that the self-centered interests of humanity might disrupt climate integrity, destroy shared resources, and leave communities insecure and vulnerable. This contention agrees with the arguments made in this write-up that attempt to explain that climate change effects are a threat to Kenya's national security.⁶

³ <https://www.unep.org/explore-topics/disasters-conflicts/what-we-do/risk-reduction/climate-change-and-security-risks>. Accessed on 29th July 2021 Pp. 6

⁴ Craig, R. (2012). *"Comparative Ocean Governance: Place-Based Protections in an Era of Climate Change"*. Edward Elgar Publishing. Pp. 53

⁵ Nyong, A. (2006). *"The Impact of Climate Change in Africa"*. University of Cape Town. South Africa. Pp 16

⁶ Karl, G. (1996). *"Rights to Nature"*. Island Press, Pp. 63.

Climate Change

The United Nations defines climate change as long-term shifts in temperatures and other weather elements. Climate change variables consist of many elements of the climate that are affected by carbon emissions as well as global warming. Some of these shifts may be natural, for instance, due to solar cycle variations. Still, since around 1980, rapid and extraordinary changes in weather patterns have been witnessed due to human-related activities like the use of fossil fuels. These are fuels like oil, coal, firewood, and gas that produce greenhouse emissions that form a blanket-like layer around the earth, trapping the heat from the sun and leading to a rise in temperatures. Among the greenhouse gases with adverse effects on the climate are carbon dioxide and methane. Industries, transport, agriculture, and energy generation facilities are some of the significant producers of greenhouse gases.⁷

Kenya is experiencing serious environmental difficulties arising from high levels of land degradation, loss of biodiversity, forest cover, and destruction of water catchment areas, which have exacerbated occasional conflicts among pastoral communities.⁸ Climate security can be described in a variety of ways to fit various conditions. Despite multiple attempts to define it, people from various professions and countries have differing viewpoints on the subject. It can be understood as the long-term stability of weather patterns to ensure human safety and environmental harmony.

A recent report by the Intergovernmental Panel on Climate Change (IPCC) indicates that the rate of global warming courtesy of human activities is far more rapid in Africa than in other parts of the world.⁹ While addressing the United Nations Security Council on February 2, 2021, Secretary-General Antonio Guterres referred to climate change as a crisis multiplier with great potential to undermine international peace and security. He dared the global community to exercise their moral responsibility and make the necessary efforts to ensure a healthy global environment where justice and peace prevailed.

Kenya is facing a climate change crisis.

Like many African countries, Kenya has widely experienced the extraordinary shift in climate patterns commonly known as climate change. Unsustainable agricultural practices, destruction of forests that act as carbon sinks, and

⁷ Kweku, Darwah. (2018). *“Greenhouse effect: greenhouse gases and their impact on global warming.”* Journal of Scientific research and reports 17, no. 6 (2018): 1-9.

⁸

⁹ Intergovernmental Panel on Climate Change, Working Group II Report. ((2007). *“Impacts, Adaptation and Vulnerability”* IPCC Fourth Assessment Report. Pp. 67.

overutilization of natural resources to support untenable human lifestyles have exacerbated Kenya's climate crisis and security concerns.¹⁰ Climate change has in many ways undermined human security in Kenya. For instance, weakening social and economic fabrics leads to a higher incidence of poverty and diseases. These increasing human deprivations have the propensity to destabilize peace and security.¹¹

For example, acidic rains have become more common on Mount Kenya's peaks. These occurrences have sometimes caused floods where people are forced to move to higher grounds. In other places, droughts are resulting in human migration in search of pastures and water, leading to stress and conflicts with other communities. These climate change disruptions and their aftermath ultimately compromise national and human security.

Kenya is particularly vulnerable due to high levels of poverty and low technical capacity to help in mitigation and adaptation, a situation that exposes the livelihoods of many Kenyans to wide-ranging risks of diseases, water scarcity, food, and physical insecurity. Climate change will significantly undermine the economic prospects in Kenya, with a projected rise in resource-based conflicts due to intense competition. These risks endanger Kenya's national security and undermine economic prosperity as they adversely affect the integrity and productivity of the ecosystems that support life and economic activities. Predictions point out that by 2050, temperatures in Kenya might rise by more than 2%, which will make the situation dire.

In Kenya, the government has not fully succeeded in establishing effective mitigation and adaptation measures to counter the climate change crisis, which then makes various sectors like health, agriculture, and security prone to ensuing risks. The challenge of climate change in the country has led to various environmental difficulties, mostly arising from human-related activities like the destruction of catchment areas and forests that also serve as habitats for wild animals. Incidents of forest fires have increased and are blamed on droughts, which leave dry swathes of land, and the illegal activities in these forests, like charcoal burning and honey harvesting, ignite fire outbreaks. These fires devastate the environment and lead to the loss of forest cover and land degradation and increase incidents of flooding in low-lying land areas. The occurrences have made Kenya a prime zone for climate change-related disasters and adversely affected national security. This situation is tragic for Kenya, a country with some of the world's most iconic species

¹⁰ United Nations. (2008). *"Achieving Sustainable Development and Promoting Development Cooperation"* Dialogues at the Economic and Social Council. New York. Pp. 6

¹¹ Seiji, K. (2006). *"Poverty Reduction and Human Security"*. Institute for International Cooperation Japan International Cooperation Agency, Tokyo. Pp. 24

of animals like the African bush elephant, the East African lion, the African buffalo, Rothschild giraffe, Maasai giraffe, Lesser kudu, and African black rhino, among other native species.

With the destruction of habitats and illegal killing of animals, the survival of these unique wild animals is at stake, which consequently affects human security. The existence of human beings is inextricably linked to that of animals. A good example is the case of wild animals like forest elephants and pangolins that are unanimously considered ecosystem engineers due to their interactions with vegetation, resulting in the preservation of ecosystem health. The activities of these animals contribute to carbon sequestration that assists in regulating the carbon in the atmosphere, ultimately reducing global warming.¹² Like in many other African countries, the shifting climate patterns pose multiple security risks to Kenya. They are projected to result in a slew of political and social issues with serious debilitating effects on economic stability and human security. This will place a burden on the government's ability to secure themselves, and many community institutions, such as clans, will have less ability to engage with each other.¹³

In Kenya, it's predicted that new pest and disease patterns will occur as a result of climate change, endangering crops, and public health. Changes in vectors for climate-responsive pests and pathogens and the rise of new illnesses might negatively impact both the food supply and people's biological ability to receive the required nourishment they eat. Food supply chain integrity will be undermined as well as agricultural output, which will affect functions such as processing, delivery, acquisitions, processing, and consumption, which are also important for food security. Climate change effects lower the capacity of communities and households to access basic needs, including medicine and nutritious meals, which then undermines their productivity and ultimately destabilizes the economic, health, and physical security of a country.¹⁴

Combating the climate change crisis

One goal of the first aspiration of Agenda 2063 is to put in place measures to sustainably manage the continent's environmental resources largely through sustainable practices and lifestyles to deal with climate-related risks. It's critical that African countries like Kenya make concerted efforts to address the climate

¹² UNESCO, (1963). *"Conservation of Nature and Natural Resources in modern African States"*. Switzerland, Pp 16.

¹³ World Health Organization. (2017). *"Ecosystems and Human Well-being: Health synthesis"*. A Report of the Millennium Ecosystem Assessment. Pp 8.

¹⁴ African, Union. (2014). *"Progress report of the commission on the Africa 2063 agenda"*.

change challenge. These measures should particularly be geared towards the reduction of greenhouse emissions that destroy the ozone layer. Some of the actions that can help slow down climate change include increasing the use of clean energy instead of fossil fuels and planting more trees to increase forest cover since woodlands serve as a carbon sink.

Kenya needs to develop comprehensive climate security policies to provide a sound framework for safeguarding the integrity of the environment, including promoting lifestyle practices that are friendly and appropriate. This will help enhance mitigation and adaptation capabilities and lead towards long-term economic growth of the economy, ecological sustainability, and national security. The country should make more efforts to accelerate measures to build resilience to combat climate change-related adverse effects. This can be realized by empowering the populace through effective communication, promoting green technologies, and growing crops that can cope well with a changing climate, such as those requiring low rainfall.

It has been established that the beliefs of various people on climate change see a risk in the future and not now, while others believe that the adverse effects of climate change will affect others more than themselves. This indicates a need for awareness-building to clarify these beliefs and motivate people to embrace appropriate practices that will assist in climate change mitigation.¹⁵ Other measures include:

- Building resilient infrastructure.
- Enhancing governance practices to ensure effective implementation of actions to address climate change.
- Enhancing industrial efficiency in the utilization of energy.
- Creating greater awareness so that the people who are the main cause of climate change can embrace climate-friendly and sustainable practices.

Additional interventions that could be undertaken to reduce the country's vulnerability include enhancing capacities in water-wise irrigation systems, low or no-till farming methods, income diversification, and disaster preparedness. Efforts aimed at empowering small farmers as well as other vulnerable populations in protecting and promoting agriculture's productivity could be vital in this endeavor.

Despite the numerous achievements and possible developments globally, the overall progress in unlocking the innovation potential in many countries

¹⁵ Nazru, I. (2017) "*Climate Change and Social Inequality*". Department of Economic and Social Affairs, Working Paper No. 152. Pp. 23.

has been slow in this area, and there is a need for the country to accelerate development in climate change innovations to support economic growth, mitigate the adverse effects of climate change and utilize emerging opportunities to grow the economy. Climate change innovations could significantly enhance understanding and shape the factors that affect economic development and competitiveness.¹⁶

The government of Kenya should intensify efforts to promote green initiatives and facilitate targeted investments in the private and public sectors. This will help enhance issues like water conservation and harvesting, use of renewable energy; environmental policies and legislation; and waste disposal, among others. These efforts may need to be scaled up at all levels for substantive benefits to be realized in mitigating climate change effects. Some of the areas that the government of Kenya may require to focus on to spur innovations for climate change include improvements in performance and the diffusion of several flagship low-carbon innovations, notably in renewable energy, manufacturing, and transport. Despite commendable efforts toward greening the country, the pace has been below the expected threshold. “Innovation fuels economic competitiveness, creates jobs and helps ensure that technology and manufacturing enterprises continue to contribute social and economic value to the global economy as a whole”.¹⁷

Ironically, innovations and technology also hold the best solution to addressing environmental degradation and climate change challenges. Despite the negative impact of technology and innovations on the environment, the prevailing challenges Innovative devices and technology, for instance, the Internet of Things (IoT), are able to conserve energy when sensors and appliances are connected to the internet to remotely monitor and perform required functions with high levels of energy efficiency. Other innovations include intelligent lighting systems that only produce illumination when required, while technologies like WiFi, smart sensors, and Bluetooth have enhanced internet connectivity, reducing energy wastage¹⁸

Kenya is presently not reaping the benefits of all that climate science has to provide. Climate information, which is routinely used to inform decision-making in industrialized nations, rarely reaches decision-makers and community members in suitable and effective ways. General circulation models, a computer-based weather prediction technique, could be used to

¹⁶ United Nations, (2008). *Achieving Sustainable Development and Promoting Development Cooperation*. Dialogues at the Economic and Social Council. New York. Pp. 24.

¹⁷ Marianne, F. (2012). *“Inclusive Green Growth”*. World Bank Publications. Pp.16

¹⁸ Edinburgh Sensors, (2019). *“The Impact of Technology on the Environment and how environmental innovations could Save the Planet”*.Pp. 29.

analyze and understand current climate conditions and anticipate weather patterns, but this has not been the case.¹⁹ This makes it imperative to put in place the necessary infrastructure for effective dissemination of information to empower various stakeholders with climate-related information for effective decision-making processes.

It's possible for Kenya to seize the moment and convert the climate adversity into an opportunity to realize the elusive dream of attaining prosperity. Countries like Morocco are making impressive strides towards adaptation by drastically boosting their clean energy capacity. The country has established the biggest solar energy farm in Africa, aiming to attain over 50% of its total energy needs from clean sources.²⁰ This will result in many other benefits. For instance, job creation, cheaper energy for small and medium enterprises, as well as health benefits from reduced pollution. Other African countries, like South Africa, have enacted a Carbon Tax Act to promote the transition to clean energy use.

Kenya should fully implement some New Partnership for Africa's Development Environment Initiative and Action Plan strategies by the African Union Commission. One of these focuses on integrating climate information into national development plans, emphasizing the most climate-sensitive industries. Kenya also needs to join other African countries to seek compensation for the economic disruption caused by global warming as part of the global climate change discussions. The continent should make a strong demand that wealthy nations cover the costs of climate change mitigation and adaptation in Africa. It has been suggested that industrialized countries, whose greenhouse gas emissions are largely to blame for climate change need to contribute monetary resources to Africa to help it deal with challenges occasioned by climate change. Africa makes a small contribution to greenhouse emissions, but it will suffer significant adverse effects of climate change.²¹ Compensation should not only be sufficient, regular, and accessible but should also emanate from easily identifiable sources and be managed by a body in which Africa plays a major role commensurate with its population. Until vulnerable communities, notably the poorest in Africa, are assisted in developing climate-resilient activities, climate change will increase poverty and insecurity.

¹⁹ Rogers, D. (2013). *"Weather and Climate Resilience: Effective Preparedness through meteorological and hydrological services"*. The World Bank. Pp 37.

²⁰ Mafalda, D. (2015). *"Morocco to make history with first of its kind solar plant"*. *Climate Investment Funds*. World Bank Group. Pp 7

²¹ Patrick, B. (2010). *"Climate Debt Owed to Africa: What to demand and how to collect"*. *Africa Journal of Science, Technology, Innovation and Development*. Pp. 13.

Conclusion

Though Kenya has contributed little greenhouse emissions to the global total, it's among the most vulnerable countries to the risks of climate change. Productive sectors like agriculture, which make up more than 50% of the country's economy, are already experiencing the debilitating effects manifested by more frequent and severe droughts, irregular rain patterns, floods, destruction of infrastructure and property, and an increased incidence of conflicts. These climate change-related threats are already undermining health security, economic growth, and national security.²² However, if the Kenyan government implements sound, targeted, and appropriate interventions ranging from policy, legislative, technological, political, and social interventions, climate change challenges can be transformed into opportunities for harnessing the country's vast resource base to pursue and achieve massive growth and development.

²² Camilla, T. (2009), *"Climate Change Africa" International Africa Institute & Royal African Society, London, Zed books Ltd*

RADICAL ISLAM TO RWANDA'S SECURITY

Col Jules Rwirangira - Rwanda Defense Force (RDF)

Abstract

One of the biggest challenges that Islamic and non-Islamic states around the globe have been handling for the last couple of years is the political and security results of radical Islam. The Salafist movement has been the most common form of radical Sunni Islam. The foundation of the Salafi movement, which started as a reform movement within Sunni Islam, can be traced back to the late 19th century in Egypt and was formed to respond to Western imperialist domination of the Arab world. In Rwanda, the majority of the radicalization cases are associated with Islamic religious Swahili teachings propagated by the prominent East African clerics supporting Al Shabab. Radical groups leverage all possible recruitment and mobilization tactics to get more members on board. The effective handling of Islamic radicalization requires a combined effort of all stakeholders. The government should work closely with Islamic communities to devise the best approach to the issue. Rwanda might end up being targeted owing to its firm position against radicalization as well as close relations with countries usually targeted by terrorism. It is critical that the authorities act against Islamic radicalization and the factors favoring it.

Introduction

Islam is a religion of peace and tolerance, which doctrinally shares much with other monotheist beliefs.¹ Nonetheless, Islam has been exposed to different outrageous religious, custom, social, and political interpretations. Brutality and psychological oppression exuding from revolutionary Islam have an immediate connection with the political component of radicalism. Numerous worldwide psychological oppressor associations utilize outrageous political understandings of Islam as the reason for their battle against the West's predominance. The West is introduced as an abhorrent worldwide hegemony that continually directs animosity against the Muslim world.² Revolutionary Islam and political radicalism are found in both primary Muslim groups: Shia

¹ The Global Observer, "Islam as a Religion of Human Dignity and Honor," 2020, <http://aboutislam.net/wp-content/uploads/2017/12/Human-Dignity-and-Honor-f.pdf?x82061> (accessed on 18 Jul 21).

² Susilo Wibisono; Winnifred R. Louis, and Jolanda Jetten, "A Multidimensional Analysis of Religious Extremism, *Frontiers in Psychology* 10, no. November (2019), <https://doi.org/10.3389/fpsyg.2019.02560> (accessed on 18 Jul 21).

and Sunni.³

Generally, all Muslims in Rwanda belongs to the Sunni category of Islam. Like all Muslim people groups in Africa, the Rwandan Muslim people group was impacted by the Salafi-Wahhabi lessons that spread through schooling and good causes. In Rwanda, Islamic radicalization with a potential for savagery came to the fore around 2015 due to propagation by the greatest worldwide jihadi organizations (Al Qaeda and IS).⁴ Most recorded instances of radicalization in Rwanda are connected to the lessons in Swahili given by popular East African priests supporting Al Shabab. A gathering of Rwandans radicalized in Belgium spread the IS message and affected the making of IS cells in Rwanda and in Central Africa.⁵

Factors Favouring Islamic Radicalisation In Rwanda

Several elements contribute to the spread of Islamic radicalization in Rwanda. Gulf-financed evangelism altogether “added to radicalization.” “Islamic radicalization in East Africa is anything but an immediate result of the ascent of Al Shabab in Somalia or the worldwide propagation of IS. Salafism spread in East Africa originated before the formation of these two brutal jihadist associations. In numerous African nations, for example, Tanzania and Mozambique, Salafi lessons are in contest with the conventional Sufi way of carrying out Islam. “⁶ Salafi-Wahhabi lessons advance a severe, and perhaps constricted, understanding of Islam. Sufism (a type of Islamic otherworldliness that is predominant in Africa) is more lenient in its methodology and effectively ingests social components of the host nation. Salafi-Wahhabi evangelism proliferated a narrow-minded version of Islam that prompted radicalization and reception of savagery at a later stage.

For a long time, the Muslim community in Rwanda, as in other African countries, has benefited from lessons spread by Gulf-funded organizations tasked with spreading the Salafi-Wahhabi principle. The social and geographical proximity to Kenya and Tanzania, where such exercises are unusual, are favorable factors for Islamic radicalization in Rwanda. Kenya and Tanzania are so far managing the Islamic radicalization issue in a somewhat remiss way.⁷ Rwanda may wind up being an objective given its relations with

³ Abdissaid M Ali, “*Islamist Extremism in East Africa*,” Africa Security Brief, no. 32 (2016): 1–8.

⁴ Ibid.

⁵ Ibid.

⁶ Jannis Saalfeld, “*Before and Beyond Al-Shabaab National Islamic Councils , Contentious Politics and the Rise of Jihadism in East Africa*,” INEF, 2019, www.uni-due.de.

⁷ Jannis Saalfeld, “*Before and Beyond Al-Shabaab National Islamic Councils , Contentious Politics and the Rise of Jihadism in East Africa*,” INEF, 2019, www.uni-due.de.”

nations designated by illegal intimidation and its present intense position against radicalization.

The lack of credible government-aligned public Islamic committees adds to the radicalization issue. Factionalism, interests, extremely durable battles for assets, and poor management frequently portray the umbrella assortments of Islam.⁸ In other East African nations, Islamic public boards “become the seat of political rivalry between the public authority and resistance groups. The umbrella association of Islam in Rwanda has similar ills to comparative associations in East Africa. It is the seat of repetitive emergencies dependent on conflict of characters, contentions for control of unfamiliar financing, “bungle and factionalism.”

For more than three decades, the Salafi-Wahhabi strict interpretation of Islam has influenced Muslim communities in Africa in general and Rwanda in particular. The large Muslim populations in the East African countries neighboring Rwanda were also at the receiving end of the Salafi-Wahhabi propaganda. Radicalization is also eased by the institutional weaknesses of Muslim umbrella organizations in East Africa in general and in Rwanda in particular. Rwanda might end up being targeted owing to its firm position against radicalization as well as close relations with countries usually targeted by terrorism.

Existing Measures To Address Islamic Radicalisation

The Sensitisation Campaign. In order to address the issue of Islamic radicalization, the government of Rwanda, through primarily security bodies, worked intimately with the Rwanda Muslim Council (RMC) to battle radicalism through a sensitization drive. The collaboration among RMC and the experts in the battle against radicalism took principally the form of intermittent sensitization drives focusing on Muslims, particularly the youth.⁹ The specialists (especially the Commissioner of Counter-Terrorism in the Rwanda National Police-RNP) instead of the Muslim foundation under RMC dominantly “lead the sensitization campaigns.”

Religious Practices and Teachings Must Be Regulated. RMC conducts guiding and restoration meetings for youngsters who have gone through radicalization. On July 9, 2016, RMC gave a fatwa restricting the full-coverage (niqab) worn by women.¹⁰ RMC got from the specialists the command to

⁸ Ibid.

⁹ New Times, “Police Start Campaign against Radicalism,” December 3, 2018, www.newtimes.co.rw (accessed on 20 Jul 21)

¹⁰ https://www.chinadaily.com.cn/world/2016-07/07/content_26000110.htm (accessed on 20 Jul 21)

control all proclamations and “altruistic exercises” by Muslim elements in the country. The action was aimed at preventing the uncontrolled conduct of the aforementioned exercises by local and foreign institutions and individuals who may spread radicalization messages. RMC has likewise directed the participation of strict schools abroad by youthful Rwandan Muslims. “A definitive target was for Rwandan Muslims to set up local religious foundations for higher learning.

Deficiencies in doctrine. The battle against Islamic radicalization in Rwanda after the 2015-2016 occurrences experienced a few inadequacies. The deficiencies noticed come from the foundation and workings of RMC. From the 1980s, Rwandan Muslim researchers got their religious teachings generally from Saudi Arabia. It is estimated that 80% of the 300 Muslim Imams were prepared under the Salafi-Wahhabi framework. RMC, in battling radicalization, didn't play out a doctrinal thoughtfulness to foster “sound and Quran-based anti-radicalization lessons.” The lessons would have been geared towards refuting a portion of the intolerant Salafi-Wahhabi understandings.

The Muslim Community's Reliance on Foreign Financial Assistance. In the same way as other public Islamic councils in Africa, the RMC relies upon unfamiliar subsidizing for the execution of its exercises. Foreign financing establishes a road for influence by different foreign bodies, mainly the Gulf-based financial aid, which has been dynamic since the 1980s. Notwithstanding the 2015-2016 occurrences, Saudi-financed NGOs like Benevolence Aid and WAMY are still dynamic in Rwanda. RMC officials “could not bear to be in serious binds with conventional Gulf funders.”¹¹

Muslim Associations. Besides, the reliance on foreign financing, coupled with the feeble administrative structures of the Muslim affiliations, is the reason for the repetitive institutional insecurity. The struggle for resources and positions within Muslim organizations diverts local leaders' and priests' attention away from the fight against radicalization. The energy of Muslim pioneers is devoured by nonstop quarrels. Interests and contentions lead to misleading allegations of radicalism being proffered to take out rivals. However, a fruitful battle against radicalization and fanaticism requires the believability and authenticity of Muslim community leaders.

Assistance from Security Organizations. The from Rwanda National Police (RNP), explicitly the Counter-Terrorism Commission, drives the sensitization campaign against Islamic radicalization. The Muslim people's leadership neglected to take responsibility for the campaign. “RMC organs

¹¹ www.muslimpopulation.com *Muslim Population*, “Priest, 100 Followers Embrace Islam In Rwanda_WAMY” (Jeddah, March 2020), (accessed on 25 Jul 21).

would like to concede the mission to RNP. The RNP approaches the Islamic radicalization issue as a simple counter-illegal intimidation issue. Key RNP officials associated with the mission often “misjudge all Muslims as expected influential mongers. Insightful individuals from the Muslim people group ask the “justification” behind why the RNP decided to task counter-psychological oppression officials to manage the issues of a whole society.

Proposed Approaches to Counter Islamic Radicalisation

The need for revised doctrine procedures to counter Islamic radicalization should be an aggregate effort, all interested. Legislative organs need to work intimately with the Muslim community in that undertaking. The initial step ought to be an exhaustive investigation of the “doctrinal reasons” for Islamic radicalization in the Rwandan setting. Islamic radicalization is probably going to succeed when the designated individual has a restricted understanding of the religion.¹² Without a doubt, after the model of the Muslim people group in Rwanda during the Genocide against Tutsi in 1994, numerous Rwandans changed over to Islam. This requires the local area to continually change the fundamentals of teaching to reflect the right picture of the religion and leave space for basic reasoning.

Combat youth marginalization. Additionally, Islamic radicalization additionally comes from social factors like individual relationships and impact, personality, and social rejection, as well as a view of unfairness against one’s local area.¹³ Individual impact through personal meetings and web-based media has “become an integral part.” Aside from a few key agents who went about as ministers as well as enlistment specialists, most of the suspects are youngsters who naively consumed and disguised jihadi lessons. In different cases, apparently youthful radicalized individuals looked for a feeling of belonging, acknowledgment, regard, or authority. The RMC and other associative bodies could devise social measures geared toward battling youth marginalization. These actions would include religious and professional coaching, the enhancement of innovative practices, the nurturing of talents, and the creation of jobs.

¹² Chris Angus, “*Radicalisation and Violent Extremism : Causes and Responses,*” NSW Parliamentary Research Service, no. February (2016): 1–23, [https://www.parliament.nsw.gov.au/researchpapers/Documents/radicalisation-and-violent-extremism-causes-and-/Radicalisation eBrief.pdf](https://www.parliament.nsw.gov.au/researchpapers/Documents/radicalisation-and-violent-extremism-causes-and-/Radicalisation%20eBrief.pdf) (accessed on 27 Jul 21).

¹³ Chris Angus, “*Radicalisation and Violent Extremism : Causes and Responses,*” NSW Parliamentary Research Service, no. February (2016): 1–23, [https://www.parliament.nsw.gov.au/researchpapers/Documents/radicalisation-and-violent-extremism-causes-and-/Radicalisation eBrief.pdf](https://www.parliament.nsw.gov.au/researchpapers/Documents/radicalisation-and-violent-extremism-causes-and-/Radicalisation%20eBrief.pdf) (accessed on 27 Jul 21).

Detection of Radicalisation in the Muslim Community. Recognizing radicalization at the local area level is the initial move towards battling it adequately. The intensive examination of reasons “for radicalization should offer a way to the advancement of an exhaustive methodology that resolves the issue at individual and local area levels. Moreover, specialists and local area leaders need to understand that radicalized people frequently show everyone the indications of predictability. Trying not to deride a specific gathering or local area is essential to keep away from a feeling of marginalization.

RMC has received new funding. RMC and other Muslim affiliations need to foster new wellsprings of financial resources. Foreign funding consistently accompanies religious and political “attachments,” and monetary independence is fairly an excursion, so additional support from the state is required. The fundamental objective should be to foster feasible methods of financing Muslim communities locally. A Muslim community that does not depend on foreign guides has the possibility of keeping away from any antagonistic foreign influence.

Development of Local Muslim Education and Training Institutions. This would assist the freedom and versatility of open-minded Islam in Rwanda. The move is targeted at restricting the number of youthful Rwandans going to Muslim countries for religious schooling. The choice should prepare for the production of local schooling and preparatory centers. The point “was to shape the standpoint of Islam in Rwanda for the future via preparing the next generation of clerics.” “This endeavor remains valid and should be highly considered as a strategy to deal with radicalization.”¹⁴ Community-level education and training centers would be the seat for the advancement of a local brand of Islam established in resistance. For such an establishment to exist and assume its part, there is a requirement for the improvement of the right regulations, just as institutional abilities.

Way Forward

Effective counter-radicalization strategies have to consider all the aspects of the problem for the solution to be holistic. At the level of doctrine, Rwandan clerics have to promote Islam as a religion of tolerance as well. The message needs to be grounded in knowledge and adapted to the context. The right interpretation of Islam has to be conveyed through education and training institutions in order to influence the next generation of clerics. Local training and educational institutions have to be established and developed in order

¹⁴ New Times, “Police Start Campaign against Radicalism,” December 3, 2018, www.newtimes.co.rw (accessed on 20 Jul 21)

to perpetuate the doctrine. The right message is not likely to mislead new converts or followers with limited education. The right teaching needs to be made available by modern means in order to reach all categories, especially the youth. The youth also needs to be considered through community action aimed at fighting marginalization and disorientation. That community action will also allow the detection of radicalization at an early stage. A critical requirement for success is that RMC and other Muslim organizations earn the credibility, legitimacy, organization, and autonomy to conduct the fight against radicalization.

Conclusion

The strict interpretation of Islam by Salafi-Wahhabi teachings breeds intolerance and opens the way to radicalization. Rwanda might end up being targeted owing to its firm position against radicalization as well as close relations with countries usually targeted by terrorism. It is critical that the authorities act against Islamic radicalization and the factors favoring it. RMC and other Muslim community organizations ought to take ownership and lead the fight against radicalization. Security organs such as RNP are leading the counter-radicalization campaign. RMC should end its reliance on external financial support. The fight against Islamic radicalization needs to be comprehensive and thorough. A crucial prerequisite for success is that RMC and other Muslim organizations earn the credibility, legitimacy, organization, and autonomy to conduct the fight against radicalization.

STREET CHILDREN: DOMESTIC AND INTERNATIONAL SECURITY THREATS

Col Philip Mahende HCDS, psc - People's Defense Force of Tanzania

Abstract

Street children are children who grow up wandering across the roads or in the streets, asking for food and money to survive. The children are seen on the streets because of the social and economic problems that exist between their families, which lead the children to flee their homes and go to find ways to support themselves on the roads and on the streets. This article sought to understand the phenomenon of street children as a domestic and international security threat in Tanzania. This article concludes that the phenomenon of street children is an increasing threat to security. Street children have become easy targets for recruitment into criminal activities. The criminals in organized crime pretend to engage in legal occupations, for instance, large businesses or supporting social responsibilities, act as master planners, and use street children to commit the crimes. The types of domestic security threats are robbery and stalking, drug use, and prostitution. The types of international security threats are terrorism, drug trafficking, human trafficking, and the trade of human organs. Many factors contribute to the plight of street children, including family disputes, moral erosion/decay, difficult economic conditions, and a lack of stringent laws and regulations. There will be two research questions addressed: first, what are the domestic security threats to street children, and second, what are the international security threats to street children.

Key Words: *Street children, domestic and international security threats*

Introduction

The term “street children” is used to describe those children who grow up wandering across the roads or in the streets, asking for food and money to survive.¹ The children are seen on the streets because of the social and economic problems that exist between their families, which lead the children to flee their families and go to find ways to support themselves on the roads and on the streets.² The age of street-visible children is often under 12 years old (under

¹ Berman, L. (2000). Surviving on the Streets of Java: homeless children's narratives of violence. *Discourse & Society*, 11(2), 149-174.

² Vigil, D. (2010). *A rainbow of gangs: Street cultures in the mega-city*. University of Texas Press.

mature age), rarely finding the age over 12 years of age. And leading to the question, where do these children transition to in adolescence or adulthood end up?

Street children transition to adolescence or adulthood without an education, and this affects their likelihood of securing employment or getting into self-employment. They are also unable to return home as the problems they have fled are not over. In addition, they are accustomed to the habit of begging, so they face challenges in engaging in normal living and working conditions. Therefore, older street children are faced with a desperate situation since they are unable to stay on the streets and they cannot go back to their homes.

The dual challenges faced by street children raise numerous questions that need proper consideration as follows: Who is responsible for those children to ensure they are psychologically placed to be good citizens in society, and if they are left to continue their desperate situation, what is their fate in society? Have any government or non-governmental authorities ever considered where these young people end up, considering that the community has not prepared them for self-reliance and no family can look after and care for them? What is the position of those illegal jobs for these young people to rush to sustain themselves in life, and what steps are being taken so that these young people do not fall into this criminal group? These crimes include, among others, drugs, robbery, phishing, terrorism, prostitution, and looting. What attitude do these young people have towards other citizens who live normal life? Is it a positive or negative attitude? What are their efforts to get out of this situation? What are their feelings about being equal or even living a higher quality life than others?

Statement of the Problem

In light of the aforementioned arguments, it is clear that street children have little hope as they transition to adolescence and adulthood, and they are thus more likely to engage in criminal groups, either by engaging themselves in a crime or by being influenced by the old and experienced criminals so as to cater to their growing needs. According to Muikila, as the age of street children increases, they are more prone to shame and abuse due to pressure to become independent. Therefore, such young and unprepared populations are forced to look for jobs that they are unfamiliar with, and that might not sufficiently satisfy their needs; this pushes them into crime.³ Brown observes that criminals are on the lookout for desperate street children and youths to lure and infiltrate them into their criminal activities.⁴ Despite the dangers they

³ Muikila, C. J. (2006). *The plight of street children: the case of Dar es Salaam* (Doctoral dissertation).

⁴ Brown, S. (2005). *Understanding youth and crime: Listening to youth?*. McGraw-Hill Education (UK).

face, including being beaten and sometimes burned and killed, these young men cannot stop as they have no other means of survival. The resulting effect is that street children are a security threat, which can be grouped in two ways: domestic and international.

Street Children as a Domestic Security Threat

The first domestic security threats are robbery and stalking. As young people grow older and are unable to continue begging on the streets, these young people will start engaging and attacking pedestrians and other things that are clearly visible to provide themselves for life, especially food. Some of the youths involved in petty crimes will begin to engage in violent robberies, including demolishing houses, ambushing people, and attacking them with traditional weapons and other items such as machetes, batons, moths, and knives. These young men also commit rape and other fraudulent acts. Sometimes they pretend they are doing legal work such as building, petty business, and other casual labor, but their ultimate goal is to commit various grand and serious crimes.

The second domestic security threat is drug use. To lack knowledge, young people have been convinced that drugs, including cannabis, give them the strength and courage to carry out criminal activities. The result is that they engage in dangerous places and also engage in other crimes such as rape, injury, and even killing. Here too, those big drug dealers use them as customers or retailers.

The third domestic security threat is prostitution. Young ladies are used in the prostitution trade either for their own survival or for the illegal sex trade in brothels or leisure establishments such as casinos. This business, in spite of endangering security in one way or another, also contributes to the rise of street children because these girls sometimes experience unintended pregnancies and later fail to raise their children, which takes them back to the streets.

Street Children as an International Security Threat

An important international security threat is terrorism. The question we ask ourselves is where the terrorists find their fighters who have a hard spirit of committing atrocities by carrying out merciless killings. Many people do not know the reality, which involves terrorism and Islamic religious beliefs, which is wrong because, despite some terrorist groups associated with the religion, terrorism remains a crime like any other crime.⁵ Street youth are the group that

⁵ Kabir, N. (2006). Representation of Islam and Muslims in the Australian media, 2001–2005. *Journal*

is easily influenced by evil-willed people to get involved in terrorism. Their lack of focus can be exploited by people with evil intentions who think they are going to provide them with good jobs abroad and end up being included in terrorist training.

Another important international security threat is drug trafficking. Due to the harsh lives on the streets, as these young people grow older, it is easier to be persuaded to be given jobs, food, clothing, and decent housing and to see those donors as good people, trusting them and willing to do whatever they are supposed to do with them.⁶ When it comes to donors wanting to use them to transport drugs, young people will still find it prestigious to travel by plane. Young people can be used knowingly or unknowingly, and when they are arrested, the real perpetrators disappear, and the case remains with the young men. The drug kingpins prefer young adolescents not only because of low wages but also because when arrested, the juvenile justice system has a loophole to release them back into the business.⁷

Human trafficking and the trade of human organs is also an important international security threat. Since these young people lack reliable caregivers, people with guaranteed responsibility for them, greedy people will look for ways to lure them as if they are sympathetic to them and want to help them. At that point, they will take them and pretend to be agents for finding high-income jobs outside of their home country, but the reality is that they are becoming products to go out there. Out there, they will go on to be used as cheap labor or to be sex slaves for young ladies. Worse, when they are sent for human organs such as the liver, kidneys, heart, and lungs, it means they will be killed in order to complete the task. According to the United Nations Office on Drugs and Crimes (UNODC), the removed organs from kidnapped Eritreans were sold for around US \$15,000.⁸

Conclusion

This article concludes that the phenomenon of street children is an increasing threat to security. Street children have become easy targets for recruitment into criminal activities. The criminals in organized crime pretend to engage in legal occupations, for instance, large businesses or supporting social responsibilities, act as master planners, and use street children to commit the

of Muslim Minority Affairs, 26(3), 313-328.

⁶ Anderson, E. (2000). *Code of the street: Decency, violence, and the moral life of the inner city*. WW Norton & Company.

⁷ Leviton, Susan, Marc A. Schindler, and Renee S. Orleans. "African-American youth: Drug trafficking and the justice system." *Pediatrics* 93, no. 6 (1994): 1078-1084.

⁸ Ati, Hassan Ahmed Abdel. "Human smuggling and trafficking in Eastern Sudan." *Sudan Report* (2017).

crimes. The types of domestic security threats are robbery and stalking, drug use, and prostitution. The types of international security threats are terrorism, drug trafficking, human trafficking, and the trade of human organs. Many factors contribute to the plight of street children, including family disputes, moral erosion/decay, difficult economic conditions, and a lack of stringent laws and regulations.

Recommendations

The issue of street children should be addressed as a security challenge rather than a social issue, and if a security solution is provided, the social concern will be reduced. Various authorities, including governments and private institutions, should take appropriate and stern measures, including looking at opportunities at the heart of the problem. This article recommends the following measures:

Developing strict laws to deter street begging There are cities around the world struggling to get rid of beggars and having proven success, such as Helsinki, Finland, so authorities can learn from those cities.⁹ This is not only about fighting beggars but rather fighting serious crimes.

Sending the street children to school Many street children are of school age, so the government should use its institutions to ensure that all street-wandering children are removed from the streets and sent to rehabilitation centers that offer education or vocational colleges and entrepreneurship programs. Before they are taken to classes, they should be seen by counselors to advise on how best to help them in this and be ready psychologically to be engaged in such training.

To search for official activities to perform upon completion of the education programs they were enrolled in. As far as possible, they should be included in joint groups in the activities of agriculture, livestock, small industries, fisheries, and others according to their environment and readiness. There should be good ethical and operational management to ensure they are not persuaded to get rid of these places and return to the streets.

Governments and other social institutions, including religious ones, should start looking at the issue by looking at where society started to deviate and, from there, a way forward should be initiated. It is now viewed as a social issue, but in reality, it is a security concern, and if left alone, it will continue to grow as a bigger security threat, with further unpredictable negative consequences. Comprehensive research should be carried out to identify where society failed

⁹ Markkanen, A. (2021). The Conditions of Living for Romanian Roma in Finland and Romania: Is There Room for Roma in EU Europe?. *Attention! Roma on the Road*, 59.

and come up with specific ways to curb or eliminate the problem.

Public and private organizations and organizations should start allocating funds in the Social Services section to establish a special fund to sponsor ongoing activities for young people, especially those who come from the streets. The fund will be coordinated by the government to identify specific needs and areas for targeted youth. Normally, all corporate business entities do have an obligation to share the profit generated with the community as a way of appreciating the profit gained by the so-called “Corporate Social Responsibility.” However, every organization has its own way of fulfilling such an obligation, so for this purpose, the organizations may agree on the best way to address this initiative.

It is time for the international community and organizations like UNICEF to step up efforts to reduce and ultimately eliminate this problem as it is now not just a one-nation disaster but a more global threat, including terrorism, drug trafficking, human trafficking, and the illegal business of human organs.

THE IMPACT OF CYBERCRIME ON TANZANIA'S SECURITY AND THE STRATEGIES FOR COMBATING IT

Col Protas P Nyoni – Tanzania People's Defence Force

Abstract

This article examines the impact of cybercrime on Tanzania's security and the proper strategies for countering it. Data was sourced from secondary sources, which include books, journals, reports, internet sources, as well as newspapers. Globally, states have been concerned about the growth of cybercrime, which continues to hamper the achievement of sustainable peace and security. However, on the African continent, most countries do not have proper mechanisms to counter cyber-attacks and fight cybercrime. A country that fails to initiate such mechanisms reduces its main function of providing security and welfare to its citizens. Therefore, there is a need for robust cyber-threat defense mechanisms to withstand the anticipated cyber-attacks. Further, the idea or concept of cybercrime and its impact on economic, political, and social areas has not been openly defined in Tanzania's policy though the government has enacted the Cybercrime Act, No. 13 of 2015. These documents have demonstrated the government's effort in addressing cybercrime despite the myriad of challenges confronting the fight against cybercrime in Tanzania.

Introduction

Cybercrime is a crime that uses computers mainly to carry out such criminalities.¹ It is a destructive act that, in addition to using computers on various occasions, also uses other devices such as cell phones and additional gadgets with access to cybercrime organizations.² Globally, there are many emerging trends in terms of the national security of any state. The majority of states have continued to enact stringent measures and formulate policies and laws aimed at safeguarding cyberspace from emerging cyber threats and cybercrime. States have realized that cybercrime is the main threat to their security. Any state that disregards these threats will face insecurity and a volatile environment when pursuing its interests.³ The cybercrime effects are

¹Gordon, Sarah, Richard Ford. "On the definition and classification of cybercrime." *Journal in Computer Virology* 2, no. 1 (2006): 13-20.

²Hill, Joshua B., and Nancy E. Marion. 2006. *Introduction to Cybercrime: Computer Crimes, Laws, and Policing in the 21st Century: Computer Crimes, Laws, and Policing in the 21st Century*. California: ABC-CLIO

³Amos, Amos. 2009. *American Security*, 6th Ed. Baltimore: The Johns Hopkins University Press

now affecting states which still have less established and developed agencies for cyber defense in their institutions of national power. In this regard, there is a need for robust cybercrime defense mechanisms, especially in Tanzania, to prevent any anticipated cyber-attacks.

Background

Currently, cybercrime has increased due to the emergence of the Internet. By using modern science and technology, the economy is growing at a tremendous rate, with new challenges evolving in line with modern economic growth and the emergence of a new threat, known as cybercrime. According to a report by Microsoft's Digital Unit (CDU), this devastation affects 400 million people each year. Globally, this fraud costs consumers an estimated 113 billion dollars per year, with the worst affected countries being "Egypt, India, Pakistan, Brazil, Algeria, and Mexico", which have the biggest numbers of infected machines involving malware developed outside Eastern Europe.⁴

Countries such as Russia, the United States, China, and Germany have been accusing each other of hacking information. The United States has repeatedly accused China of rigging the country's elections. Former US President Donald Trump has been accused of rigging election information that enabled him to win the election. The Russian government's mainstream government intervened in the US presidential election by using these tactics (cybercrime) and extracting election information that helped retired US President Donald Trump to assume the presidency office and also used outdated intelligence (human intelligence) to support the move. Powerful countries are also using this tactic to attack other developing countries.⁵ Africa, it is estimated that by 2022, one billion people will have access to the internet, and this will increase cybercrime. Currently, 10% to 15% of Africa's economy is affected by cybercrime, which is derailing economic growth and development in the continent. For instance, due to cybercrime, Uganda 2017 incurred a loss of approximately 42 million schillings. Rwanda also lost 6 billion francs, while Kenya, for the period between April and June of 2019 alone, received 26.6 million cybercrime threats.⁶

The majority of African countries lack adequate mechanisms to combat cyberattacks and cybercrime. There are very few institutional frameworks for

⁴ Kshetri, Nir. 2013. *Cybercrime and cybersecurity in the global south*. Springer

⁵ Inkster, Nigel. "Information warfare and the US presidential election." *Survival* 58, no. 5 (2016): 23-32.

⁶ Muendo, Mercy. 2018. "Kenya's new cybercrime law opens the door to privacy violations, censorship." *The Conversation* 29

protecting cyberspace. This questions the mandate of the state in providing security to its citizens. A lack of these mechanisms deters a state from attaining its national security mandates. Tanzania, like other African countries, has been affected by cybercrime, leading to the enactment of the Cybercrime Act No. 13 of 2015, which aims at combating the vice.⁷ However, cases of cybercrime have increased despite the enactment of the cybercrime legislation calling for more robust and holistic approaches to be adopted to fight cybercrime, which continues to challenge both national and human security in the country.

Research Questions

This journal is anchored on two research questions, which include

1. What is the impact of cybercrime in Tanzania?
2. What are the measures taken by the government to counter cybercrime?

Theoretical Framework

This article employs securitization theory to assess the impact of cybercrime on Tanzania's security. This theory was proposed by Barry Buzan, who argues that "national security involves and incorporates emerging referral objects."⁸ He adds that, "Security procedures are the systematic ways of assessing the security requirements of the state by prioritizing the identified areas of security concerns." The most prioritized area of concern becomes the referral object of the state's national security."⁹ It also involves assessing security issues such as cybercrime, which threaten the national and human security of any country. Therefore, anything that attacks the security aspects of any country should be considered a major threat. It's thus important to securitize cyberspace to avert any cyber threat and the possibility of cyberattacks.

The Impact of Cybercrime in Tanzania

Tanzania, with over 61 million people, has an estimated 23.1 million people connected to the internet.¹⁰ With the government's efforts to increase internet access in the country to around 80% of mobile users, cybercrime and cyber-related security issues have consequentially increased. Misleading

⁷ Magalla, Asherry. 2018. *Cyber Contracts in Tanzania under the Electronic Transaction Act, No. 13 of 2015*. Dar Es Salaam: SSRN

⁸ Buzan, Barry., and Little, Richard .2000. *International Systems in World History: remaking the study of International Relations*. New York: Oxford University Press

⁹ David, Pozen.. The Mosaic Theory, National Security, and the Freedom of Information Act. *The Yale Law Journal*115, (2005): 3-40

¹⁰ Business Ghana. 2018. *Tanzania Internet Users Rose to 23 Million Last Year*. Accra; Business Ghana.

information aimed at insulting and defaming authorities has also increased due to the increasing number of social media users in the country. Cases of political incitement and false statistics have been evident on Facebook feeds and WhatsApp groups. This comes even after the government set several cybercrime laws in 2015 to tackle the issue.

According to a report by The East African, the country reported an estimated \$99.5 million loss in 2017, a \$14.5 million loss more than the previous year.¹¹ A large part of the amount was lost through tax fraud, which is the most common tactic used by criminals. Fraud has also been prevalent in financial institutions such as banks, mobile phones, and other gadgets that use M-Pesa, Tigo-Pesa, and Airtel Money, where money is lost through the hacking of the systems. There have been several cases of complaints from customers whose money has been withdrawn using the ATM without their consent or knowledge.

Further, cybercrime has increased money laundering and this has harmed the trade and economic growth in the country. The most affected are small businesses that account for 35 percent of the country's GDP. It is estimated that in 2017, the country lost an estimated USD 99.5 million, which severely affected trade and the economy in Tanzania.¹²

Among Tanzanian youths, cases of malware attacks and cyberbullying have enormously increased. Most students in secondary schools have fallen prey to cyberbullying from accounts within the country.¹³ The high numbers are attributed to the fact that most of them share their mobile phones with friends, and they do not use secure locations when connected to the internet.

Cyberbullying has resulted in depression and low self-esteem, which are reported by the victims. A report by Jeshi la Dada, a women's activist group that fights against cyberbullying among women, claimed that 75% of women who had been cyberbullied suffered from depression later.¹⁴ The group also advocates for the suspension of accounts that participate in cyberbullying and a 5 million fine or 3-year imprisonment for anyone found guilty of the offense according to section 23 of the 2015 Act.¹⁵

¹¹ Richard, Felix. (2018). Governments and Financial Institutions Worry as Africa loses \$3.5b to Cyber Crime. *Nairobi; Nation Media Group; The East African*

¹² Cross, Charlotte. "Dissent as cybercrime: social media, security and development in Tanzania." *Journal of Eastern African Studies* (2021): 1-22.

¹³ Hezron, Onditi., and Jennifer , Shapka. Cyberbullying and Cybervictimization in Tanzanian Secondary Schools. Dar es Salaam; *Journal of Education & Sciences*8, no.1 (2009):

¹⁴ The citizen, 2020. Meet the Women Taking on the Cyberbullies. *The Citizen*

¹⁵ Samson, Mmari. 2016. *Understand the Cybercrime Act 2015- Simplified Language*. Dar es Salaam; Namati.

Measures were taken by the government to counter cybercrime

In general, the government of Tanzania has taken legal measures by enacting the Cybercrime Act, No. 13 of 2015. The government has also directed that all mobile phone cards (SIM Cards) be registered to enhance the identification of criminals who engage in cybercrime. Further, the system of transferring money from mobile phones and ATMs to another person's account has been changed, and financial institutions have taken steps to prevent cybercrime incidents by educating their customers not to reveal their ATM or account passwords. Banks have also installed CCTV cameras in all areas where there are ATMs.¹⁶ Following the enactment of the Criminal Procedure Code section 265 penalty code, cap 16, the government has demonstrated efforts to combat cybercrimes. The Act states that "anyone who steals anything will be accused of theft and will be prosecuted for theft, and if convicted, shall be sentenced to seven years in prison".

To the relief of its citizens, the government has also been a key player in addressing cyber security issues. Besides the 2015 Act, the government has established a permanent national organization to tackle the issue of cybercrimes and outlines measures to prevent online fraud. The committee has the responsibility of monitoring online trends, preparing annual cybercrime reports, and identifying loopholes in the law. The 2015 Act has continually been reviewed, with the latest review supposing online bloggers pay extra fees for authentication purposes of the contents they post online.

The government is also funding public campaign groups that fight cybercrime and those that enlighten the public on the laws surrounding cybercrime. In addition, the government has set up information technology offices in many parts of the country, where members of the public can seek help and clarification on cybercrime. Further, the government has also made efforts to train 250 police officers who will help in dealing with cybercrimes. This policy has been deployed in various regions and districts within the country.

Conclusion

Cybercrime is a global problem that continues to enrich some of the criminals who engage in the vice. These rich people have plans, strategies, and huge networks that enable them to carry out these criminalities, thereby challenging the fight against cybercrime. The main challenge of cybercrime in Tanzania is the lack of enough financial resources, skills, and tactics by the institutions

¹⁶ Mwingira, Abass. 2013. *Elimination of Cybercrimes in Tanzania: Law and Practice*. PhD diss. The Open University of Tanzania

mandated to fight against this vice. Therefore, there is a need to strengthen the institutions, develop stringent measures as well as provide capacity building to the key players involved in combating cybercrime in the country.

SOFT POWER IN THE FIGHT AGAINST YOUTH VIOLENT EXTREMISM IN KENYA

Mr. Francis K Mugoh - National Intelligence Service

Abstract

The vice of terrorism has been on more of an upward trend in the twenty-first century than ever before. It has resulted in the loss of property, death, democratic challenges, psychological damage, and even the distraction from society. For these reasons, states have started to consider using modern approaches, such as soft power approaches, to counter the increase in terrorism. Thus, states develop mutual trust through soft power to empower and promote community resilience.

Introduction

The concept of terrorism is generally thought to be driven by the ideology or the belief system of its perpetrators, which may broadly include left-wing terrorism, separatist terrorism, religious terrorism, single-issue terrorism, etc. Thus, “the idea of counter-terrorism incorporates the tactics, practices, framework, strategies, approaches, and techniques that the state uses through the police, military, prisons, and corporations in order to adapt to attack by terrorists.”¹ Nye states that, “counter-terrorism has become a buzz word in light of the increase in terror-related activities at least around the globe.”² El-Said posits that “preventing extremism is of importance because of the often serious consequences of an attack in terms of loss of human life and material damage, but equally because of the damage which an attack or a threat can cause to the democratic process and legal order.”³

According to Nye, “preventing violent extremism has been more critical in the twenty-first century than any other time. This is mainly because of the often serious consequences associated with terror attacks, such as the loss of lives, property, and damage to society, in addition to the erosion of the democratic process.”⁴ Hence, “soft power as an approach to terrorism works by aiming to

¹ Kyriakidis, Kleanthis. *The 21st Century Terrorism: Wrong Diagnosis, Inadequate Remedy*, Naval Postgraduate School Thesis, (2005), p. 27.

² Nye, Joseph. *Power in the Global Information Age: From Realism to Globalization*. London and New York: Routledge, (2004), p. 19.

³ El-Said, Hammed. *New Approaches to Countering Terrorism: Designing and Evaluating Counter Radicalization and De-radicalization Programs* (Palgrave Macmillan, 2015), pp. 2-3

⁴ Nye, Joseph. *Power in the Global Information Age: From Realism to Globalization*. London and New

debunk the terrorist ideology of hate and violence completely.”

“The soft power approaches in counter-terrorism ideally seek to undo the violent extremism process by engineering an individual’s return to modern society through the provision of a stable support network that prohibits their original reason for radicalization and divorces the same individual from their beliefs and social contact.”⁵ Kyriakidis cites that “the role of non-state actors has become critically significant in challenging states’ capacity to fight terrorism.”⁶ It means that “the concept of soft power to counter-terrorism is important, considering that the threat of terrorism in Africa is spreading and has the potential to destabilize the whole region.”⁷ The rise of violent extremism and terrorism in Africa has created severe security threats because of the growing phenomenon.

The Extent of Violent Extremism and Terrorism in Africa

According to the United Nations, “terrorist organizations in Africa, such as Harakat Al-Shabaab, Islamic States, and Al-Qaeda in the Islamic Maghreb, pose an increasing threat to sub-regional peace and security.”⁸ El-Said adds that, “A recent addition to the list is the Boko Haram in Northern Nigeria.” The degree to which they become more transnational also raises concern for the international community.⁹ “For instance, “in the Nigerian context, the governments have built a counter-violent extremism toolkit against Boko Haram’s terror activities.”¹⁰ In sub-Saharan Africa, “the increase in social, political, and economic factors has exacerbated the threat of terrorism.”¹¹ The United Nations states that, “in Africa, devolution is practised in South Africa, Nigeria, South Sudan, and Kenya.”¹² In these countries, documented evidence indicates that the devolved units gradually become self-sufficient,

York: Routledge, (2004), p. 19.

⁵ Stern, Jessica. *Mind over Martyr*, Foreign Affairs 89, (2010), pp. 108-109.

⁶ El-Said, Hammed. *New Approaches to Countering Terrorism: Designing and Evaluating Counter Radicalization and De-radicalization Programs* (Palgrave Macmillan, 2015), pp. 6-9.

⁷ Zagare, Frank and Kilgour, Marc. *Perfect deterrence. Cambridge Studies in International Relations, Cambridge*, Cambridge University Press, (2016), p. 78.

⁸ The United Nations. *The African regional high-level conference on counter-terrorism and the prevention of violent extremism conducive to terrorism*, Nairobi, Kenya (10-11, July 2019).

⁹ El-Said, Hammed. *New Approaches to Countering Terrorism: Designing and Evaluating Counter Radicalization and De-radicalization Programs* (Palgrave Macmillan, 2015), pp. 6-9.

¹⁰ Stern, Jessica. *Mind over Martyr*, Foreign Affairs 89, (2010), pp. 108-109.

¹¹ Acosta, Jim and Eli, Watkins. *Trump admin eyes scrapping anti-extremism program*. CNN, (2017), p. 2.

¹² The United Nations. *The African regional high-level conference on counter-terrorism and the prevention of violent extremism conducive to terrorism*, Nairobi, Kenya (10-11, July 2019).

thereby reducing overdependence on national or central government,”¹³ Stern adds. Additionally, “devolution in Kenya is emerging as one of the systems of governance that are addressing inadequacies in previous central governments.”¹⁴ Hence, “considered as a complimentary system to central or national government, this system of governance is gradually resulting in many social, economic, and political benefits.”¹⁵

“Counter-terrorism initiatives that embrace the utility of soft power might be more successful than those that rely on the use of naked force.”¹⁶ Thus, “while the soft power of terrorist organizations has received scant attention, there has been modest scholarly inquiry into a soft power approach to counter-terrorism.”¹⁷ It is worth noting that “few comprehensive research has been conducted on the place of soft power in Al-Shabaab’s activities and the Kenyan government’s efforts to end their campaign.”¹⁸

Siegel opines that “the national government in Kenya, together with various county governments, and other international, local, and security organizations, has adopted various counter-terrorism strategies in an attempt to prevent more terror attacks.”¹⁹ However, “the counter-terrorism strategies do not seem to effectively achieve the intended results as terrorism cases are still rising steadily, especially in the counties of Nairobi, Mombasa, Wajir, and Lamu, which continue to persistently receive an increase in terror attacks”²⁰

Soft Power Approaches in Kenya

El-Said posits that “in both Kenya and Somalia, the actions of Al-Shabaab have left thousands of people maimed, dead, and displaced.”²¹ Siegel cites that “it has also made neighbouring countries susceptible to bombings and kidnappings.”

²² For instance, “terrorists murdered 21 people in the Dusit Hotel Complex

¹³ Stern, Jessica. *Mind over Martyr*, Foreign Affairs 89, (2010), pp. 108-109.

¹⁴ Zagare, Frank and Kilgour, Marc. *Perfect deterrence. Cambridge Studies in International Relations*, Cambridge, Cambridge University Press, (2016), p. 78.

¹⁵ Ibid, (2010), p. 113.

¹⁶ Silke, Alfred. *Terrorists, Victims and Society: Psychological Perspectives on Terrorism and its Consequences*, England: John Wiley and Sons Ltd, (2013), p. 23.

¹⁷ The United Nations. *The African regional high-level conference on counter-terrorism and the prevention of violent extremism conducive to terrorism*, Nairobi, Kenya (10-11, July 2019).

¹⁸ Ibid, (2019).

¹⁹ Siegel, Alfred. *Youth Radicalization: Interventions and Challenges for Prevention*, Tel Aviv University, Israel, (2021), p. 8.

²⁰ The United Nations. *The African regional high-level conference on counter-terrorism and the prevention of violent extremism conducive to terrorism*, Nairobi, Kenya (10-11, July 2019)

²¹ El-Said, Hammed. *New Approaches to Countering Terrorism: Designing and Evaluating Counter Radicalization and De-radicalization Programs* (Palgrave Macmillan, 2015), pp. 6-9.

²² Siegel, Alfred. *Youth Radicalization: Interventions and Challenges for Prevention*, Tel Aviv University,

in Nairobi and, in Wajir County, eight police officers were killed and others injured when their vehicle struck an improvised explosive device.”²³ Therefore, “both states have the obligation and responsibility to prevent and combat terrorism and protect human rights.”²⁴

According to Silke, “countering violent extremism is key to effectively fighting terrorism in Africa.”²⁵ Subsequently, “the concept of counter violent extremism has now been embraced, to a greater or less extent, by many of the leading scholars in the field of terrorism studies.”²⁶ However, “at the same extremism, the use of soft power approaches to address violent extremism has previously suffered from a dearth of solid findings about the causes and consequences of violent extremism, empirically tested in quantitative cross-country studies.”²⁷

Nye found that “through soft-power approaches to counter violent extremism, activists can utilize creative pathways for engagement in safer spaces and also develop much-needed innovation in these fields.”²⁸ Hence, “in using its soft power, the government should be sincere, genuine, and must be seen to be honest in its engagement with civil society and communities.”²⁹ The time has now come for Kenya to seriously consider the application of soft power initiatives in the fight against violent extremism. Botha states, “the County Government of Lamu continues to struggle with an upsurge of terrorism activities. Some of the areas most affected include Mpeketoni, Manda Island, Nyongoro locality, and Dodori forest, among other areas.”³⁰ “This leads to the scholarly quest to know whether the counter-terrorism strategies put in place are effective or not, and to what extent the multi-agency and multi-stakeholders are not doing right to counter-terrorism in Lamu.”³¹

Israel, (2021), p. 8.

²³ Powell, Robert. *Nuclear deterrence theory: the search for credibility*, Digitally printed version. Re-Issue. Cambridge: Cambridge University Press, (2018), pp. 2-6.

²⁴ Zagare, Frank and Kilgour, Marc. *Perfect deterrence. Cambridge Studies in International Relations*, Cambridge, Cambridge University Press, (2016), p. 78.

²⁵ Silke, Alfred. *Terrorists, Victims and Society: Psychological Perspectives on Terrorism and its Consequences*, England: John Wiley and Sons Ltd, (2013), p. 23.

²⁶ Silke, Alfred. *Terrorists, Victims and Society: Psychological Perspectives on Terrorism and its Consequences*, England: John Wiley and Sons Ltd, (2013), p. 23.

²⁷ Ibid, (2013), p. 24.

²⁸ Nye, Joseph. *Power in the Global Information Age: From Realism to Globalization*. London and New York: Routledge, (2014), p. 19.

²⁹ Zagare, Frank and Kilgour, Marc. *Perfect deterrence. Cambridge Studies in International Relations*, Cambridge, Cambridge University Press, (2016), p. 78.

³⁰ Ibid, (2019).

³¹ Siegel, Alfred. *Youth Radicalization: Interventions and Challenges for Prevention*, Tel Aviv University, Israel, (2021), p. 8.

The Outcome of Soft Power Approaches

It is important to appreciate that “soft power as an approach has been effective when combined with the conventional means of security in protecting citizens and states, but they are insufficient to fight a war not only against the wanton destruction of innocent lives and property, but also against the insidious spread of an ideology of evil.”³² Subsequently, “in response, investments need to be made in technology, skills, research, analysis, and innovating new approaches to countering terrorism.”³³

Acosta and Eli postulate that “security scholars have recently given more attention to cyberspace because it has evolved into an important domain of inter-state conflict.”³⁴ Thus, “the theoretical underpinnings of deterrence are based on game theory, in which there is a belief that unilateral military build-up breeds a sense of fear that would cause the potential adversaries to restrain their hostile actions.”³⁵

Conclusion

Therefore, soft power is a concept developed to describe the ability to attract and co-opt rather than coerce, use force or give money as a means of changing behaviour. Because of the current security situation in Kenya, it is now clear that a mix of hard and soft power is needed to deal with terrorism more effectively. Soft power will help us persuade those who have already been recruited to renounce violence, abandon their evil ways and return to civilized society.

³² The United Nations. *The African regional high-level conference on counter-terrorism and the prevention of violent extremism conducive to terrorism*, Nairobi, Kenya (10-11, July 2019).

³³ Wu, Chris. *An Overview of the Research and Development of Information Warfare in China, in Cyberwar, Netwar, and the Revolution in Military Affairs*, eds. Edward Halpin et al. (New York: Palgrave MacMillan, 2016), pp.192-196.

³⁴ Ibid, (2017), p. 6.

³⁵ Powell, Robert. *Nuclear deterrence theory: the search for credibility*, Digitally printed version. Re-Issue. Cambridge: Cambridge University Press, (2018), pp. 2-6.

THE GULF IN THE HORN: ANALYSING THE IMPLICATIONS OF THE GROWING INTERDEPENDENCE BETWEEN THE HORN OF AFRICA AND THE MIDDLE EAST SECURITY COMPLEXES

Mr Frederick K. Ndegwa – Ministry of Foreign Affairs

Abstract

The Horn of Africa is rapidly transforming. The region has always been a great theatre for geopolitical contestation owing to its geostrategic value. It has also been a hotspot due to its diverse geography, history, population, politics, culture, and fragile ecology, which has precipitated cyclical conflicts. Today, the region confronts an even more complex reality. The Red Sea maritime domain has evolved into the preeminent theatre of great and middle power contestations, while the Horn of Africa has attracted varied actors from the Middle East who are injecting resources and exporting rivalries in ways that could further destabilise a fragile regional balance. With increased strategic clientelism and the risk of having regional agendas being set by external actors, this paper analyses the implications of the growing influence of Middle Eastern countries in the Horn of Africa with a view to establishing the effects of overlaps between the Horn of Africa and Middle East security complexes.

A new order is shaping up in the Horn of Africa; a realignment is at play, and it has attracted players from far and wide. The Red Sea basin has always been a node for geostrategic competition among major global powers. This age-old strategic environment has increasingly attracted the attention of fresh contenders from the Gulf and beyond, who have been drawn to the region by the spaces created by big power competition as well as the threats occasioned by regional conflicts, terrorism, piracy, and general instability. These factors have catalysed the involvement of actors from the Gulf and beyond in the Horn of Africa.¹ Their participation in the evolving realities within the Horn of Africa has precipitated a growing pattern of strategic realignments that are creating entirely new challenges and opportunities for the region.

This paper draws from the assumptions of Regional Security Complex Theory and argues that whereas the Horn of Africa and the Middle East regions have been two distinct regional security complexes, recent developments have increased the level of interdependence among them and have profoundly

¹Melvin, N. "The New External Security Politics of the Horn of Africa region" Stockholm International Peace Research Institute, 2019 p. 2-3

transformed levels of interactions, leading some observers to conclude that the Horn of Africa Regional Security Complex and the Middle East Regional Security Complex are no longer mutually exclusive on account of increased military and economic interactions that are creating new and complex regional boundaries.² It is, therefore, necessary to critically assess the effects of these overlaps and the extent to which they have transformed the nature of these two regional security complexes.

Interdependence between the Horn of Africa and Middle East Regional Security Complexes has been prompted by a number of factors, including declining American hegemony, expanding security considerations from Middle Eastern actors, particularly in the aftermath of the Arab Spring and the Yemen crisis, growing strategic clientelism and the collapse of the regional order within the Horn of Africa, and enhanced ability of Middle Eastern actors to project power. Therefore, the primary security concerns of states in these two regions are not yet fully intimately linked to the extent that their *“national security cannot realistically be considered apart from one another”*³ and therefore meet the requirements of a single security complex as advanced by the Regional Security Complex theory, they nevertheless demonstrate a level of interaction and interdependence requiring special consideration.

The reorientation in the United States’ foreign and security policy from the global war on terror to a focus on great power competition⁴ has created these new spaces for geostrategic jockeying among secondary powers. The United States’ intention to “lead from behind” and let the Middle East fend for its own peace and security challenges has granted its Middle Eastern allies a free reign in the region. A receding America precipitated a fresh scramble for the Horn of Africa by actors from the Middle East, which has had a profound effect on the existing order and alliances and has risked having the Middle East’s political fault lines graft themselves onto local conflicts, thereby generating new tensions in the region.⁵

The presence, and indeed interest, of Middle Eastern actors in the Horn, is not new. The two regions are inextricably linked in terms of history, geography, culture, and, increasingly, peace and security architecture. As such, they have experienced epochs of waning and intensification in their engagement with

² Kabandula, A, and Shaw, T. “Rising Powers and the Horn of Africa: Conflicting Regionalisms.” *Third World Quarterly* (2018): p. 1-20.

³ Buzan, Barry. *People, States and Fear: The National Security Problem in International Relations*. Chapel Hill: University of North Carolina Press, (1983) p. 190

⁴ Trump, D., ‘National Security Strategy of the United States’, Washington DC, December 2017 p. 27

⁵ Calabrese, J. *The Bab el-Mandeb Strait: Regional and great power rivalries on the shores of the Red Sea*. Middle East Institute (January 2020)

each other. It is recalled that during the 1973 oil crisis, many countries in the Horn courted the Gulf States to overcome the economic devastation and soaring debt caused by the crisis. These countries invoked their cultural and religious connections to secure assistance from their partners in the Gulf, which would aid them in dealing with their balance of payment crisis. For the most part, the Gulf States responded favourably to these requests and seized the opportunity, using their wealth and newfound geostrategic importance to expand their influence in the Horn and secure key loyalties.⁶

However, the end of the Cold War caused a dramatic shift in relations between states in the Horn of Africa and the Middle East. The Horn of Africa underwent a series of crises with the collapse of the Derg regime in Ethiopia, the implosion in Somalia following the collapse of the Siad Barre regime, the Eritrean War of Independence, as well as the Islamic Revolution in Sudan and subsequent civil war. Benefactors in the Middle East retreated from these upheavals, and states in the Horn of Africa were left to fend for themselves. Efforts to address these implosions in the Horn of Africa were often regionally led and regionally owned, with Kenya playing the central role in addressing this series of crises. As an outcome of this demission, countries in the Horn of Africa developed a sense of aversion to external interference and valued strategic autonomy in their regional affairs.

However, over the last decade, actors from the Middle East have demonstrated a more overtly political agenda in the Horn of Africa. With the growing geostrategic and economic importance of the Horn of Africa and following the turmoil precipitated by the Arab uprising, countries in the Middle East have invested in the establishment of a long-term military and commercial presence on both sides of the Gulf of Aden and the Red Sea to cement their status as regional powers.⁷

The Gulf's primary interest in its engagement with the region has been security. The civil war in Yemen offered the catalyst for a strategic reorientation in security policy among the Gulf States; it became imperative to protect the Gulf States' western security flank. Indeed, Riyadh has explicitly referred to the Horn of Africa as constituting its "security belt".

The Yemen conflict also coincided with a strategic repositioning of America in the region, which caused a security "pivot to East Asia" in an attempt to balance China's rising military strength. In order to facilitate this shift, America required allies in the Gulf to address local security issues in their

⁶ Mabera, F. "The Horn of Africa-Persian Gulf Nexus: Inter-Regional Dynamics and the Reshaping of Regional Order in Geopolitical Flux." Institute for Global Dialogue, 2020. p. 2

⁷ Larsen, J. and Stepputat, F. Gulf State Rivalries in the Horn of Africa: Time for a Red Sea Policy? Danish Institute for International Studies (May 2019)

neighbourhood. The Gulf countries invested in securing the participation or non-interference of Horn countries in their alliance operating in Yemen.⁸

Policymakers in the Gulf and the wider Middle East region have dramatically increased their physical, economic, and political presence over the last decade, a prospect they see as a long-ignored low-hanging fruit. These actors have played varying roles in shaping political transitions and conflicts across the Horn of Africa. Unlike other traditional extra-regional players, these new actors have been willing to deploy significant resources and intensely pursue political, security, and strategic interests. As a consequence of this intense engagement by the Middle East, the Horn of Africa has experienced a build-up of external military forces and actors, a broadening of the security agendas pursued by external actors, and a growing pattern of strategic and political realignments between countries.⁹

These developments have led some observers to argue that the social, political, and security considerations in the Gulf are “... *no longer limited to the Gulf itself or even the Middle East; the imagined security complex has been expanded to include the Horn of Africa*”.¹⁰

Whereas previously, states within the Horn of Africa have traditionally tended to show a healthy disregard for extra-regional states in their regional affairs, they have, over the last decade, actively courted Gulf countries and encouraged their participation in regional politics with enthusiasm, shelving their previously held deep affinity for strategic autonomy. This is partly attributed to the enhanced ability of actors from the Middle East to project power in the region, the fracturing of Kenya–Ethiopia strategic partnership that anchored the Horn of Africa, and the transitions in Ethiopia and Sudan that have created spaces for extra-regional players.

This phenomenon of growing strategic clientelism against a weakening regional order elicits an interesting assumption that could be added to building the Regional Security Complex Theory. Buzan and Wæver postulated that the regional security complex is an evolving social construct dependent on the security posture of its constituent units.¹¹ It could be argued that regional security complexes are insular systems. The Horn of Africa Regional Security Complex would therefore remain an insular system to the extent to which its

⁸ Mishra, A. Gulf's Involvement in Horn of Africa: Lessons for African Countries. Observer Research Foundation (May 2019)

⁹ Melvin, N., 'The Foreign Military presence in the Horn of Africa region', SIPRI Background Paper, April 2019 p 1-2

¹⁰ Verhoeven, Harry. “The Gulf and the Horn: Changing Geographies of Security Interdependence and Competing Visions of Regional Order.” *Civil Wars* 20, no. 3 (2018): p. 333.

¹¹ Buzan, B. and Wæver, O. *Regions and Powers: The Structure of International Security*. Vol. 91, Cambridge and New York: Cambridge University Press. (2003) p.70

constituent units are functional, independent, and capable of a self-determined trajectory. A weakening of the order within the Horn of Africa Regional Security Complex can be said to have allowed for increased interaction and subordination through the creation of patterns of subordination and clientelism.

Patterns of interactions and influence have allowed actors from the Middle East Regional Security Complex to influence developments in the Horn of Africa, as demonstrated by their successful efforts to broker a rapprochement between Ethiopia and Eritrea, as well as in addressing the situations in Sudan, South Sudan, Somalia, and Djibouti.¹² They have also attempted to mediate the disputes over the construction of the Grand Ethiopian Renaissance Dam (GERD), as well as the Ethiopia–Sudan and Kenya–Somalia border disputes, with limited success. These activities were previously largely managed internally through IGAD and other regional or global frameworks when the Horn of Africa Regional Security Complex was a more independent system.

Countries from the Middle East have also made considerable investments, especially in regional port infrastructure, investing considerably in the Ports of Doraleh in Djibouti (the Government of Djibouti has since unilaterally terminated this contract), Berbera in Somaliland, the Ports of Assab and Massawa in Eritrea, the Ports of Mogadishu, Barawe and Bosaso in Somalia, as well as Port Suakin in Sudan.¹³ On the other hand, they have been drawn into more direct involvement in the regional conflict system, especially the situation in Northern Ethiopia, and this has been detrimental.¹⁴ Overt involvement in conflicts and domestic as well as regional politics, in particular, has not realised favourable outcomes for Gulf actors and has instead pushed relations out of balance and created entirely new challenges for the Horn.

The lack of pushback by regional actors is on account of the relatively high polarity now demonstrated by actors from the Middle East. The comparatively superior material power capabilities of actors in the Middle East have resigned actors in the Horn of Africa to playing roles as clients and balancers in highly asymmetrical relationships. The weakening of the Horn of Africa Regional Security Complex alludes to the fact that levels of strategic autonomy within a regional security complex could be commensurate to the aggregate polarity of its constituent units relative to that of external actors or the level of cohesion

¹² International Crisis Group. Intra-Gulf Competition in Africa's Horn: Lessening the Impact. International Crisis Group, 2019.

¹³ Vertin, Z. Red Sea Rivalries: The Gulf, the Horn and the New Geopolitics of the Red Sea (June 2019) p 1-14

¹⁴ Lons, C. Gulf Countries Reconsider their involvement in the Horn of Africa. International Institute for Strategic Studies (June 2021)

within the regional security complex and the consensus to lockout extra-regional players. This phenomenon also points to the importance of a regional hegemon in the maintenance of coherence and autonomy within a regional security complex and how the lack of hegemons or their relative inabilities could contribute to overlaps in regional security complexes as external actors with sufficient capacity then seek to fill existing voids.

The hierarchy within the Middle East Regional Security Complex partly contributes to a higher sense of competition within it and arguably explains its proclivities to extend influence and export contestations beyond its borders. Actors within the Middle East Regional Security Complex have significant and growing capabilities but lack the moderating influence of a pure regional hegemon. While countries from the Middle East are essentially drawn into the Horn of Africa in search of opportunities and to advance their security interests, a significant volume of their activities seeks to dilute and contain the influence of their competitors. This dynamic has been most visible in Somalia, where Mogadishu's neutrality and failure to sever relations with Qatar following a request from the Saudi–Emirati axis was interpreted as tacit support for Doha, prompting Abu Dhabi to retaliate by investing heavily in the semi-autonomous Somaliland, including training and the establishment of a coastal-surveillance system.

Whereas the Horn of Africa Security Complex and the Middle East Security Complex cannot be said to be sufficiently linked to constitute a single regional security complex, they can also not be deemed sufficiently differentiated. These two regional security complexes demonstrate a level of interaction and interdependence that raises the prospect of a gradual meshing of regional security complexes or the emergence of a supra-regional complex where two or more regional security complexes begin to demonstrate an increased level of interdependence as states with primary interactions in a given regional security complex begin to have growing secondary interactions with other states in a separate regional security complex, as is the case between the Horn of Africa and Middle East Security Complexes.

The Horn of Africa Regional Security Complex can be deemed to have a weak internal order and is thus unable to both internally omnibalance as well as insulate itself against external influence. As argued in the paper, this could be attributed to the preponderance of fragile states and states in transition within the Horn of Africa Regional Security Complex, as well as a weakening of the strategic nexus between key actors in the Horn of Africa Regional Security Complex. Fragile and failed states in the Horn of Africa Regional Security Complex see the participation of external actors as an opportunity to enhance

their own parochial security interests, including their contribution to the regional omnibalance. For client states, benefits advanced by extra-regional actors have greater desirability compared to their strategic autonomy or even sovereignty, which they pawn for limited interests. To hedge against possible dominance and maximise their returns from engagement, states exercise strategic clientelism with the purpose of attracting varied external actors and using the differences of their benefactors to check and balance their influence and power. This is a strategy well perfected by the Somali regime, which has been the main breach point for external actors into the Horn of Africa Regional Security Complex.

The role of fragile and failed states in breaching the relative autonomy of a regional security complex is not peculiar to the Horn of Africa region. It is also manifest in Libya, Mali, Yemen, Syria, and Iraq.

These internal weaknesses within the Horn of Africa Regional Security Complex, coupled with the high polarity of actors from the Middle East Security Complex, account for the growing interactions and interdependence between these two regions. It could also be argued that these two regional security complexes remain distinct because, whereas actors from the Middle East Security Complex have the wherewithal to influence matters in the Horn of Africa, they lack the will and ability to dominate it and hence cause a complete integration between the two security complexes.¹⁵

Indeed, Middle Eastern actors active in the Horn of Africa Regional Security Complex cannot be deemed pure emerging powers because, while they have substantial influence, they are limited in their capacity to determine sub-system behaviour in both the Horn of Africa and the Middle East Regional Security Complexes. Their influence and power are contested, checked, and limited.

Middle Eastern actors, therefore, pursue measured and limited objectives in the Horn of Africa. Assumptions that the asymmetrical nature of relationships between countries in the Horn and those in the Middle East, as well as fears that countries from the Middle East would use their considerably large resources to dominate the Horn of Africa, seem not to have materialised.¹⁶ Prospects of Gulf differences grafting themselves in the Horn of Africa appear to have faded with the signing of the al-Ula Declaration, which ended the blockade against Qatar and de-escalated tensions between the Gulf States.¹⁷

¹⁵ Cannon, B. & Donelli, F. (2019). Asymmetric alliances and high polarity: evaluating regional security complexes in the Middle East and Horn of Africa. *Third World Quarterly*. 41. (2019) p.523.

¹⁶ Mahmood, O. S. The Middle East's Complicated Engagement in the Horn of Africa. United States Institute for Peace (January, 2020)

¹⁷ Bruno, A. The Qatari _ Emarati Strategic Contest in the Horn of Africa. Gulf International Form (May 2019)

It could be argued that the influence of Middle East potentates in the Horn of Africa is a precursor to an even greater challenge, especially considering that the Horn of Africa and the broader Eastern littoral coast of Africa will be an integral part of the emerging Indo-Pacific strategic environment and therefore attract considerable interest from great and emerging powers, as evidenced by their growing presence and contestations within the Red Sea Basin. Middle Eastern countries, in particular, have sought to establish a long-term military and commercial presence on both sides of the Gulf of Aden and the Red Sea to cement their status as regional powers.

Conclusion

It is in Kenya's interest to shepherd the reconstitution of the regional order within the Horn of Africa and to also actively participate in shaping the emerging order within the broader Indo-Pacific region. These two complexes are central to Kenya's national security interests.

These efforts should primarily focus on dealing with domestic variables which impede Kenya's ability to translate potential into capabilities and the transformation into a major regional power. Within the region, Kenya should also actively facilitate the transitions in Ethiopia, Somalia, and South Sudan as well as make considerable investments in the reforming and strengthening of regional frameworks of cooperation, especially the East African Community and IGAD. These regional institutions are critical in creating the interdependence, heterarchy, and sense of shared prosperity and interest that causes sufficient coherence within the Regional Security Complex.

Beyond the region, Kenya could also pay greater attention to the emerging Indo-Pacific order, given its even greater prospect of influence in the Horn of Africa Regional Security Complex. The primary lesson to be drawn from the influence of Middle Eastern actors is the level of vulnerability and lack of strategic autonomy within the region, as well as the urgent need to hedge against the adverse influence of even more powerful actors, the effects of which were visible during the Cold War. How can we work with other actors in the Indo-Pacific to create an omnibalance within the Indo-Pacific region that would benefit the Horn of Africa Regional Security Complex?

As the Indo-Pacific contestations grow, the more active role of global hegemon is likely to cause a dissipation of the activities by actors from the Middle East in the Horn of Africa Regional Security Complex, causing them to retreat into their own spaces or maintain a role in the Horn of Africa but as agents of the global hegemon with whom they share a convergence of interests. It could be argued that the retreat of the Gulf States after their previous period

of intense engagement in the 1970s was partly occasioned by the active participation of the United States in the region, which created their desired order by leaving no voids that allowed for independent manoeuvre.

THE IMPACT OF MARITIME SECURITY ON THE USE OF BLUE ECONOMY RESOURCES IN AFRICA: A CASE STUDY OF KENYA AND MOZAMBIQUE

Ms. Gladys J. Kurui - National Intelligence Service

Abstract

Kenya and Mozambique have vast maritime waters in the Indian Ocean with great marine resources, which, if tapped, could boost the two countries' gross domestic products as well as create employment opportunities. However, the two countries are yet to fully exploit their blue economy resources due to security challenges. Whereas some partner states have given their support in addressing maritime security threats, security challenges continue to affect Kenya and Mozambique, which is impeding their ability to harness their maritime resources effectively. This journal article seeks to answer the following questions: what entails the security challenges impeding the exploitation of marine resources in Kenya and Mozambique and the correlation between maritime security and the blue economy in Kenya and Mozambique. The paper established that maritime security is an enabler of the Blue Economy in that it safeguards navigation routes and protects marine resources within maritime areas. The exploitation of marine resources, therefore, calls for adequate security against such threats as piracy, illegal, unregulated fishing (IUU), smuggling of arms and drugs, dumping of hazardous materials, and terrorism threats. Kenya and Mozambique's marine resources, estimated at billions of shillings, remain largely unharnessed owing to the above challenges, a situation which is slowing the economic growth of the respective countries.

Keywords: *Maritime security, economic growth, marine resources*

Definition of terms

Seapower refers to the protection of states and their marine resources, maritime zones, and coastal state rights by local security agencies.

Marine safety is the protection of vessels and maritime systems and assets by security agencies as well as their involvement in rescue missions in cases of maritime disasters or accidents at sea.

Economic development is the administration of rules and regulations on the usage of marine resources and fighting against threats of piracy and smuggling of arms and drugs, besides securing the maritime environment to bolster economic

development.

Human security: *This relates to combating transnational organized crimes in the ocean waters in order to ensure the sustainable livelihoods of citizens.*

Introduction

The 2012 United Nations Convention on Sustainable Development (UNCSD) recognized the importance of the blue economy not only in Africa but across the world.¹ Since then, most countries in the world, among them Africa, have increasingly focused their attention on the utilization of maritime resources in order to spur their economies and sustain the livelihoods of their citizens. The conference on the Global Sustainable Blue Economy, held in Nairobi, Kenya, in 2018, further highlighted the need for countries to look into the oceans as a source of economic growth and the prevailing challenges facing the blue economy and proposed measures to mitigate them in order to achieve national economic development and sustainable livelihoods for citizens. Kenya and Mozambique have vast territorial waters with enormous marine resources, which, if harnessed, could propel the economies of these two countries, create employment opportunities, eradicate poverty and achieve sustainable development. However, challenges that include insecurity, piracy, dumping of hazardous materials and illegal exploitation of marine resources are hampering the exploitation of these marine resources. The journal, therefore, seeks to examine these challenges and their impact on the blue economy and recommend possible solutions that can be adopted by Kenya and Mozambique to facilitate the harnessing of marine resources for the benefit of the citizens of these two countries.

Blue Economy

The concept of a “blue economy” has been in existence since the invention of the water transport system. However, its focus as a formal economic investment by many states, especially by unindustrialized countries, has been made in recent years.² The security of resources and actors in the blue economy is a major issue that must be taken into account if states are to reap the benefits of this sector.³ The “blue economy” can also be defined as a sustainable ocean-based economic model that relies heavily on coastal and marine ecosystems and resources. Blue Economy employs innovative and respectful infrastructure, technologies, and financial institute practices to meet the established requirements and objectives

¹<https://ro.uow.edu.au/lhapapers/3358>. PP. 2

²<https://www.arcjournals.org>, journal Volume 7, Issue 10, October 2020

³Ibid.PP.94

of: (a) sustainable and inclusive development; (b) coast and ocean protection and reduction of environmental risks and ecological scarcity; (c) apply to water, energy, and food security; (d) protect the health, livelihoods, and well-being of coastal zone residents; and (e) promote ecosystem mending.⁴

The World Bank views the concept of a “blue economy” as the use of ocean resources to advance economic development, improve livelihoods, and create job opportunities for citizens while maintaining the ocean ecosystem.⁵ The fishing industry, tourism, maritime transport, and offshore renewable energy drilling form part of the blue economy.⁶ It also includes marine research and education, as well as the activities of public-sector agencies with direct responsibilities for the coasts and oceans, such as national defence, the coast guard, and the protection of the marine environment.⁷ The maritime industry generates economic values that are often not quantified, such as fish and marine life, carbon sequestration, coastal protection, waste recycling and storage, and ocean processes that influence climate and water use. Others include desalination, marine biotechnology, ocean energy, and seabed mining.⁸ However, the harvesting of these marine resources by Kenya and Mozambique is being undermined or impeded by maritime insecurity.

Theoretical Framework

The study adopted the securitization theory devised by Barry Buzan, Ole Over, and Jaap de Wilde in the mid-1990s. The proponents of this theory argue that when issues are interpreted as extreme security that needs to be dealt with urgently, they transform from normal, everyday issues to ‘dangerous’, ‘threatening’, or ‘alarming’ matters that require quick and appropriate security measures. In the context of this study, this theory relates to various activities such as political, economic, and social issues, which in some instances could be seen as normal but develop into serious security issues, hence the need to be securitized. For instance, fishing could be an ordinary everyday activity, but overfishing or unregulated fishing and pollution of the marine environment, which for a long time remained non-security issues, have in recent years been securitized due to concerns raised by players such as politicians, security professionals, and environmentalists. Thus, overfishing shifts from being a

⁴ Journalofcmsd.net

⁵ Ibid. Pp.1

⁶ J.Rasowo , P. Orina , B.Nyonje , S. Awuor & R.Olendi (2020): Harnessing Kenya’s Blue Economy: prospects and challenges, Journal of the Indian Ocean Region, DOI: 10.1080/19480881.2020.1825199. PP.4

⁷ Journalofcmsd.net, Pp.2

⁸ Journalofcmsd.net, Pp.2

low-priority concern to a high-priority issue that requires appropriate security activities such as issuing policy guidelines or criminalizing the catching of fingerlings.⁹

There is a correlation between maritime security and the blue economy¹⁰

The concept of maritime security has increased the international community's focus on oceanic resources and how they would be protected for the benefit of present and future generations. However, there is no universally accepted term to define maritime security.¹¹ For this study, marine security means prevention and responsive security measures aimed at safeguarding marine resources against threats and illegal exploitation. The concepts of maritime security and "blue economy" are rooted in historical influences on ocean governance. The first was the substantial expansion of maritime claims to the sea that was codified through the negotiation and drafting of the United Nations Convention on the Law of the Sea (UNCLOS) (UNCLOS, 1982). The second was the broader sustainable development agenda, stemming from the 1987 Brundtland report and the 1992 Rio Earth Summit.¹² Between 1973 and 1982, about 140 states met to advance an international legal framework on rights and maritime activities. During the conference, the 200 nautical miles proposed by Kenya in 1972 gained widespread international acceptance, while a limit of 12 nautical miles to the territorial sea was also provided. Exclusive economic zones embody a compromise between the interests of the coastal countries and the interests of the countries concerned to preserve the freedom of navigation. The freedom of navigation and overflight is maintained for vessels and aircraft belonging to other countries, but the EEZ has sovereign rights with respect to the living and non-living resources of coastal countries.¹³

Maritime security is crucial in protecting marine resources in open oceans, rivers, and lakes. The mandate of maritime security agencies has increasingly become very significant owing to the expanded maritime jurisdictions and emerging threats of terrorism as well as smuggling of arms, drugs, dumping of hazardous materials and piracy. In view of this, maritime security and the blue economy are interlinked in the sense that, with a secure marine environment, respective governments are able to harness the marine resources within

⁹Sammy N. Njiru*, Joseph M. Mutungi, Duncan Ochieng, Influence of Marine Security on Exploitation of Blue Economy Resources: A Case of Mombasa County, Kenya, 2020

¹⁰ ro.uow.edu.au

¹¹ www.arcjournals.org, Pp.94

¹² https://ro.uow.edu.au, PP.5

¹³ Ibid. Pp.6

their jurisdictions. Further security of navigation routes and availability of oceanographic data promotes marine industries and ensures the safety and delivery of marine resources to market. Additionally, improved maritime security capabilities encourage investment in the exploitation of marine resources and enhance economic growth.¹⁴ As a result, improved security in the oceans has the potential to enhance investor confidence and accelerate investment in the Blue Economy and, subsequently, economic growth in Kenya and Mozambique.

Since the adoption of the United Nations Convention on the Law of the Sea (UNCLOS) in 1982 by over 167 states, including France and the United Kingdom, many Indian Ocean coastal states have increasingly become interested in claiming their maritime jurisdictions and resources by urging UNCLOS for proper delimitation of their continental shelf seawards of 200 nautical miles and boundaries.¹⁵ Consequently, there has been an increase in the exploitation and management of marine resources by coastal states, leading to the growth of marine-related industries, tourism, and job creation, with positive effects on the economic development of the affected states. If properly managed, the Indian Ocean maritime zone, which is about 68 million square kilometres and incorporates states from South Africa to Australia, could spur economic growth, which in turn would alleviate poverty, enhance food security and create employment opportunities in the affected countries.

Kenya, Mozambique

The Indian Ocean rim states continue to experience sea-based threats due to inadequate and sustainable maritime security capacity and the enormous area of responsibility and institutional weaknesses.¹⁶ To this end, the region largely depends on international partners in fighting maritime security threats, including piracy, being perpetuated from Somalia's waters. Kenya's coastline covers about 640kms of the Indian Ocean and a moderate Exclusive Economic Zone of over 142,000 square km and 13,600 km² of inland waters with economic opportunities, according to the survey of Kenya report of 2020.¹⁷ Kenya is also endowed with immense marine resources, which, if fully harnessed, would boost its economic growth and supplement the traditional segments of the larger economy by creating employment opportunities, alleviating poverty,

¹⁴ Voyer, M., Schofield, C., Azmi, K., Warner, R., McIlgorm, A. & Quirk, G. (2018). Maritime security and the Blue Economy: intersections and interdependencies in the Indian Ocean. *Journal of the Indian Ocean Region*, 1-21. <https://ro.uow.edu.au/lhapapers/3358>.

¹⁵ pubs@uow.edu.au, Pp.7

¹⁶ UNODC 2017; ISS, 2012

¹⁷ www.tandfonline.com

enhancing food security, and supplementing other industries.¹⁸ However, efforts by the country to exploit its blue economy resources have been undermined by a wide range of maritime security challenges, among them piracy, illegal, unregulated fishing and use of illegal fishing equipment, smuggling of small arms and drugs, pollution and dumping of hazardous materials into the oceans and lakes. The situation is further compounded by the inadequate capacity to monitor and protect the waters as well as border disputes. Whereas the Kenya government has established key institutions, including the Kenya Coast Guard Unit, to support the Kenya Navy in protecting its ocean waters and resources against illegal exploitation, the security agencies are situated mostly in the coast region, thus leaving other vital water bodies unprotected.¹⁹

Furthermore, the threat of terrorism from Al-Shabaab militants in the coast region deters private investors from investing in marine resources. The creation of the committee on the implementation of the Blue Economy in 2017 shifted the country's focus toward recognizing the opportunities for sustainable development of ocean resources, marine fisheries, and the aquaculture sector. However, the contribution of maritime resources to the country's Gross Domestic Product remains minimal.²⁰ According to principal secretary Nancy Karigithu, lack of coordination between different policy areas, insecurity, inadequate infrastructure, ease of market access and supportive regulatory framework are hampering the growth of the maritime industry in the country. Consequently, Kenya may need to invest in marine education and training of her human resources, scientific research and funding to support marine-related industries such as fisheries, aquaculture and tourism.²¹ Kenya may also need to resolve outstanding boundary disputes with Somalia and transnational crimes in order to maximize the benefits of its marine resources.

Weak maritime security along the channel leaves important coastal cities in other countries, including Djibouti, Kenya, Tanzania, and the island states of Mauritius and Seychelles, vulnerable to maritime threats. Ansar al-Sunna, a terrorist group, linked to the Islamic State, twice captured the strategic port town of Mocimboa da Praia, about 80 kilometres south of Palma, in 2017 and 2020. In recent years, the trade route has been used to smuggle heroin from Afghanistan down Africa's coast to Mozambique, a major funding mechanism for insurgents. The heroin is then shipped to Europe and other areas, according to a report on The Interpreter, a site run by the Lowy Institute. Crystal methamphetamine produced in Afghanistan is also being

¹⁸ www.arcjournals.org

¹⁹ Ibid

²⁰ Guiled, M., 2018. "True value of the blue economy to Kenya." Standard Digital.

²¹ www.tandfonline.com

increasingly smuggled along the channel. Other security challenges derailing Mozambique from optimally harnessing its marine resources include pollution, environmental degradation, and a lack of capacity to secure its coastline.²² As a result, Mozambique has been negotiating with other states like South Africa, France, other European nations, and India for possible military support, including marine patrols.

Kenya and Mozambique have expansive ocean waters with rich marine resources, which, if properly secured and tapped, would boost the economies of the two countries. However, the harnessing of these resources has been hampered by persisting insecurity, including the threat of terrorism and transnational crime, which is making the sector unattractive to both local and foreign investors. The two governments may need to develop and effectively implement security policies and enhance collaboration with other governments to safeguard marine ecosystems and marine resources as well as address security threats and pollution.

²²Ngwenya, S, 2014. "Maritime Delimitation in the Indian Ocean." Mozambique v. Kenya

THE CHALLENGES AND OPPORTUNITIES OF THE AFRICAN UNION-NORTH ATLANTIC TREATY ORGANIZATION'S MILITARY INTEROPERABILITY

Commander Holger Grossmann – German Navy

Abstract

Security is a necessity for development, considering that economic development is seen as a process of change, requiring some kind of adjustments in each and every state. Security and peacebuilding are issues that have become topical in debates and discussions around the globe today.

The Challenge of Insecurity

In the context of international relations, security is a necessity for development, considering that development is seen as a process of change, requiring adjustments in the societies of the developing and developed states. This calls for profound changes in interoperability discourse and the structure of relations among different states of the world.¹

Security and peacebuilding are issues that have become topical in debates and discussions around the globe today. Bolt and Cross argue that the challenge of insecurity in the twenty-first century is acknowledged as a severe threat to any state, institution, corporation, society, community, family, household, or individual.² This is mainly because some parts of the world have been characterized by an increase in complex and hybrid threats.

Conflict in the twenty-first century is acknowledged as a severe threat to any state, institution, corporation, society, family, household, or individual. This is not only because many conflicts have characterized some parts of the world, but more so due to the realization that conflicts have had a negative impact on a region's socio-economic and political development for a long time. Conflict management, conflict resolution, and peacebuilding have become very topical in debates and discussions around the globe today.

The conflict scene in Africa is dynamic and has seen a number of fluctuations

¹ Economic Development Report in Africa. Debt dynamics and development report in Africa, United Nations Conference on Trade and development UNCTAD, (2016), p. 17.

² Bolt, Paul and Cross, Sharyl. *Emerging Non-traditional Security Challenges: Color Revolutions, Cyber and Information Security, Terrorism, and Violent Extremism*. Published to Oxford Scholarship Online, Birmingham, United Kingdom, (2018), pp. 20-23.

in the last two decades. Since the establishment of an African Peace and Security Architecture, African regional bodies have achieved significant gains in peace on the continent.³ Cunningham argues that African capabilities to prevent, manage, and resolve conflicts have grown tremendously, and subsequently, the number of conflicts has gone down since 2010.⁴ Following the cold war, a number of frozen conflicts reignited violently, including those in Liberia, Sierra Leone, Rwanda, and the Democratic Republic of Congo (DRC).⁵ As a result, after these subsided, the number of conflicts declined in Africa, which also resulted in a significant decline in the occurrence of deaths caused by conflicts.

Military Interoperability

The conventional threats to security in many regions are still of concern, albeit less likely than in the past. Nevertheless, the threats of terrorism and cyber attacks, for instance, impact harder on security daily.⁶ Due to growing security concerns, states are starting to address these emerging challenges and risks with fresh perspectives. This comprehensive approach encompasses broad political, military, economic, and social dynamics that enable agile and blended solutions to the root causes of these security challenges.⁷

The last decade has seen the emergence of complex and systemic security challenges and proliferating threats, which urgently call for efficient security coalitions to act collectively against these shared threats⁸ instance, the United States (US) Army has partnered with the North Atlantic Treaty Organization (NATO) and other coalition states to enhance operational readiness in a series of coalition interoperability exercises.⁹

According to Santos and Spyros, interoperability generally denotes the ability

³ Harbeson, John and Rothschild, Donald. *Africa in World Politics: The African State System in Flux*. Oxford, Westview, (2000), pp. 310-314.

⁴ Cunningham, David. *Blocking resolution: how external cases can prolong civil wars*. *Journal of peace research* 47, no. 2, (2014), pp. 115-127.

⁵ Muthiah, Alagappa. Regionalism and conflict management: a framework for analysis, review of international studies, vol. 21, no 4, Cambridge university press, (2012), pp. 359-387.

⁶ Rantos, Konstantinos and Spyros, ArnoInt. *Interoperability Challenges in the Cybersecurity Information Sharing Ecosystem*. Department of Computer Science, International Hellenic University, Agios Loukas, 654 04 Kavala, Greece, (2020), pp. 19-23.

⁷ Bolt, Paul and Cross, Sharyl. *Emerging Non-traditional Security Challenges: Color Revolutions, Cyber and Information Security, Terrorism, and Violent Extremism*. Published to Oxford Scholarship Online, Birmingham, United Kingdom, (2018), pp. 20-23.

⁸ The Brussels Summit Communiqué. Issued by the Heads of State and Government participating in the meeting of the North Atlantic Council in Brussels 14 June 2021.

⁹ Mehney, Paul. *Army Marches toward Coalition Interoperability*. *Signals Journal*, Washington DC, United States of America, (2018), pp. 2-6.

of systems, units, or forces to provide services to and accept services from other systems, units, or forces and use the services so exchanged to enable them to operate effectively together.¹⁰ Therefore, interoperability is a critical element in any coalition because it enables allied support for coalition operations and offers the opportunity to increase the effectiveness and efficiency of the allied teams.

Tavares states that in the post-cold war era, Africa's peace and security scene changed fundamentally.¹¹ This shift is related not only to the changing nature of conflict and the emphasis on regional security discourse but also to various initiatives undertaken by Africa to establish an effective peace and security regime. In this context, remarkable development has been the establishment of the African Peace and Security Architecture (APSA) by the continental body, the African Union (AU).¹²

The intrinsic nature of regional insecurity in Africa has accumulatively claimed many lives. Thus, enhanced coalition interoperability is an essential capability that ensures greater regional stability.¹³ Cunningham opines that African states express gratitude for all the support given by NATO over the years, appreciate the cooperation between AU-NATO and call for closer collaboration and commended the cooperation and support in the operationalization of the African Standby Forces (ASF).¹⁴

According to Tavares, regional bodies worldwide have increased considerably since 1945, with a fresh surge in the nineties and many of them being given the mandate for security building.¹⁵ Regionally based military cooperation has usually been based on cooperation driven by and directed against external enemies or efforts to contain the risk of such confrontation through regional arms control agreements and Military Confidence and Security Building Measures (CSBMs).¹⁶

¹⁰ Rantos, Konstantinos and Spyros, Arnolnt. *Interoperability Challenges in the Cybersecurity Information Sharing Ecosystem*. Department of Computer Science, International Hellenic University, Agios Loukas, 654 04 Kavala, Greece, (2020), pp. 19-23.

¹¹ Tavares, Roberts. *Regional Security. The Capacity of International Organizations*. Routledge, New York, (2019), p. 112.

¹² Ibid, (2019), p. 117.

¹³ The Brussels Summit Communiqué. Issued by the Heads of State and Government participating in the meeting of the North Atlantic Council in Brussels 14 June 2021.

¹⁴ Cunningham, David. *Blocking resolution: how external states can prolong civil wars*. Journal of peace research 47, no2, (2014), pp. 115-127.

¹⁵ Tavares, Robert. *Regional security. The capacity of international organizations*. Routledge, New York, (2009), p. 112.

¹⁶ Cottey, Albert and Foster, Allan. *Reshaping defense diplomacy: new roles for military cooperation and assistance*, Adelphi paper no. 365 oxford university press: oxford, (2004), pp. 14-18.

The African Standby Force (ASF)

Regionally based military cooperation has usually been based on cooperation driven by and directed against external enemies or efforts to contain the risk of such confrontation through regional arms control agreements and Military Confidence and Security Building Measures (CSBMs).¹⁷ It is prudent to note that the Constitutive Act of the African Union enshrined the African Union's right and obligation to intervene in severe circumstances, such as war crimes, violence, unrest, political instability, and genocide, intending to prevent atrocities against humanity. This, therefore, means that, according to Tavares, the regional bodies worldwide have increased considerably since 1945, with a fresh surge in the nineties and many of them being given the mandate for security building.¹⁸

States in Africa continue to experience persistent insecurity in the form of intrastate and interstate conflicts. To this end, concerted efforts have been made to address this problem, which involves deliberate action to identify the factors that fuel extreme and violent conflicts. Nevertheless, most violent conflicts are between local communities within a country and not between states, making internal conflicts predominant in Africa.

Development aspirations are happening in the wake of the African continent formally adopting the 2030 Agenda for Sustainable Development on September 25, 2015, which will guide global action over the next fifteen years.¹⁹ Africa's development priorities identified in the African Common Position on the post-2015 development agenda were enshrined during the reporting period in several continental and global landmark agreements, including the African Union (AU) Agenda 2063²⁰, the 2030 Agenda for Sustainable Development and the Addis Ababa Action Agenda.²¹

The idea of employing diplomatic tools for expediting development has gained attention as an avenue for economic development in Africa. This is because the ideal purpose of diplomacy is the pursuit, promotion, and defence

¹⁷ Cottey, Albert and Foster, Allan. *Reshaping defense diplomacy: new roles for military cooperation and assistance*, Adelphi paper no. 365 oxford university press: oxford, (2004), pp. 14-18.

¹⁸ Tavares, Robert. *Regional security. The capacity of international organizations*. Routledge, New York, (2009), p. 112.

¹⁹ The Sustainable Development Agenda, On 1 January 2016, the 17 Sustainable Development Goals (SDGs) of the 2030 Agenda for Sustainable Development. United Nations Africa Renewal, United Nations, (2015), p. 5.

²⁰ It is a strategic framework for socio-economic transformation, of the African continent. United Nations Africa Renewal. *Sustainable Development Goals in sync with Africa's priorities*, United Nations, (2015), p. 16.

²¹ United Nations Africa Renewal. *Sustainable Development Goals in sync with Africa's priorities*, United Nations, (2015), pp. 7-11.

of regional and national interests. Diplomacy influences development agendas in many areas, including security, trade, health, and migration.²² For instance, the United Kingdom is becoming an increasingly important economic partner for African countries. Herman posits that a mix of various forms of diplomacy may serve as one of the most effective ways to realize national economic interests for a given state.²³

The use of interoperability as a means for diplomatic purposes is a relatively new dimension of diplomacy in sub-Saharan Africa. It is an established practice in South Africa.²⁴ The continuation of conflict requires a new concept of intervention, one that is fast, reliable, and effective.²⁵ Amid the United Nations (UN) failure to prevent conflicts in Africa, the African Union has taken steps to start solving its own conflicts. Abbas argues that many efforts have been made, and the African Standby Force (ASF), if successful, might be not only a solution to African conflicts but also a model for the United Nations on how to do peacekeeping.²⁶ Arguably, the ASF forms an integral part of the AU strategic response mechanism to the conflicts and crisis situations that the continent currently faces.

The continuation of conflict requires a new concept of intervention, one that is fast, reliable, and effective.²⁷ Amid the United Nations (UN) failure to prevent conflicts in Africa, the African Union has taken steps to start solving its own conflicts. Abbas argues that many efforts have been made. However, the African Standby Force (ASF), if successful, might be not only a solution to African conflicts but also a model for the United Nations on how to do peacekeeping.²⁸ Arguably, the ASF forms an integral part of the AU strategic response mechanism to the conflicts and crisis situations that the continent currently faces.

Salman contends that the East African Standby Force is a regional body whose mandate is to enhance peace and security in the East African region.²⁹

²² The Sustainable Development Agenda, On 1 January 2016, the 17 Sustainable Development Goals (SDGs) of the 2030 Agenda for Sustainable Development. United Nations Africa Renewal, United Nations, (2015), p. 5.

²³ Herman, Michael. *Diplomacy and Intelligence: Diplomacy & Statecraft* 9, no. 2 (2018): pp. 1-22.

²⁴ Kegley, Charles. *World Politics*, 11th Ed Rev. London. (2018), pp. 90-95.

²⁵ Abbas, Adams. *Regional organization and development of collective security. Beyond chapter viii of the UN charter*. OUP, oxford, (2004), pp. 67-71.

²⁶ Salman, Salman. *Shared watercourses in the southern African development community: challenges and opportunities*. Water policy 6, (2014), p. 39.

²⁷ Abbas, Adams. *Regional organization and development of collective security. Beyond chapter viii of the UN charter*. OUP, oxford, (2004), pp. 67-71.

²⁸ Ibid, (2004), p. 76.

²⁹ Salman, Salman. *Shared watercourses in the southern African development community: challenges and opportunities*. Water policy 6, (2014), p. 39.

It is one of the region's five multi-dimensional forces of the ASF, consisting of military and civilian components.³⁰ Standby forces are only one of the many different tools that the Peace and Security Council (PSC) can use for conflict prevention, management, and resolution. It is to be used only as a last resort.³¹ It should be noted that, as of March 2014, the East Africa Standby Force (EASF) is composed of ten member states: Burundi, Seychelles, Somalia, Uganda, Comoros, Djibouti, Ethiopia, Kenya, Sudan, and Rwanda. Since April 2013, the Republic of South Sudan has had observer status, but it is also expected to join.³²

The East African Standby Force Coordination Mechanism (EASFCOM) serves as the executive secretariat of the organization.³³ It was established in 2007 by the decision of the Council of the East African Council of Ministers of Defence and Security. It is based in Kenya and co-located with the planning element. It coordinates all East African Standby Force (EASF) activities in consultation with the concerned authorities of the African Union member states.

The UN states that security threats in East African countries have always been interconnected. Although conflicts tend to be intrastate initially due to strong cross-border dimensions and transnational ethnic identities, these conflicts have often spread to destabilize the whole region.³⁴ Armed groups, including child soldiers, are coerced and driven across borders to fight.

The East African region also faces challenges of exploitation, hoarding, and the illicit trade of natural resources, which fuel conflict at a regional level.³⁵ Small arms and financial resources flow across borders, and people are forced to flee their homes and crisscross the region to escape violence, starvation, and injustice. Thus, conflict management activities come to the fore to address the underlying causes of violent conflict and enhance resilience against the risks of resurgent violence.³⁶ This includes conflict management activities to manage underlying disputes or divisions.

³⁰ Graham, Kelvin and Felicio, Tony. *Regional security and global governance. A study of interaction between regional agencies and UN security council with a proposal for a regional-global security mechanism*, Brussels university press, Brussels (2006), p. 9.

³¹ Cunningham, David. Blocking resolution: how external states can prolong civil wars. *Journal of peace research* 47, no2, (2014), pp. 115-127.

³² Buzan, Barry and Ole, Waever. *Regions and powers. The structure of international security*. Cambridge, Cambridge University Press, (2013), pp. 230-243.

³³ Ibid, (2013), pp. 131.

³⁴ United Nations, *Global Survey of Early Warning Systems*, United Nations report, (2006), p. 14.

³⁵ Githaiga, Nyambura. *Regional Dimensions of Conflict in the Great Lakes*. Report of the ISS Workshop, held at the La Mada Hotel, Nairobi, (2011), p. 7.

³⁶ Ibid, (2011), pp. 9-13.

Conclusion

The continuation of conflict requires a new concept of intervention, which is fast, reliable, and effective. Amid the United Nations (UN) failure to prevent conflicts in Africa, the African Union has taken steps to start solving its own conflicts. The African Standby Force was motivated by Africa's intention to possess the capability to act very promptly, upon request from a member state or when there is a need from the African Union to address a violent situation, to save lives and or even to prevent crises from escalating. It is worth noting that many efforts have been made. The African Standby Force (ASF), if successful, might be not only a solution to African conflicts but also a model for the United Nations on how to do peacekeeping.³⁷ Arguably, the ASF forms an integral part of the AU strategic response mechanism to the conflicts and crisis situations that the continent currently faces.

³⁷ Salman, Salman. *Shared watercourses in the southern African development community: challenges and opportunities*. Water policy 6, (2014), p. 39.

COMPARATIVE DEFENCE GRAND STRATEGY: THE CASE OF INDIA AND PAKISTAN

Mr Julius K. Larama - National Intelligence Service

Abstract

India and Pakistan formed part of the former British India Subcontinent. However, the duo has had supremacy and dominance wars that have existed since their demarcation as different states in August 1947. Partitioned on religious lines, the two arch-rivals clashed barely two months after independence over Jammu and Kashmir, marking the beginning of a bitter rivalry that has lasted to date. Both have faced off against each other nine times since the 1947 war, with the latest being in 2019. Deterrence: owing to the persistent wars and secession of Pakistan East to create Bangladesh, where India fought alongside Bangladesh, prompted President Muhammad Zia-ul-Haq to order the acquisition of nuclear weapons. The process took thirteen years, leading to a successful test in 1984. India had tested its atomic bomb ten years earlier, thereby becoming the sixth country to develop nuclear weapons. However, though India possesses nuclear weapons, it has not formally declared the size and quantity. India was prompted to develop nuclear weapons as a deterrence measure, especially against China, notwithstanding its persistent wars with Pakistan. India and China fought over a border dispute in 1962, which was lost. Territorial integrity with unresolved border issues has been the major cause of their rivalry. With an estimated arsenal of more than 130 nuclear weapons, Pakistan is rated as the sixth country with the highest number of warheads in the region. Similarly, India has immensely modernized its military, leading to a newly defined dynamic and spirited foreign policy in respect of the South Asia region as a result of developing regional threats.

Introduction

India and Pakistan attained their independence just a day apart on August 15, 1947, and August 14, 1947, respectively. Prior to independence, there existed distinct differences, leading to the partition of British India. Principally, religious ideology pushed India and Pakistan to be partitioned (Hindu and Islam, respectively) under the two-nation theory, bringing people sharing religion, culture, economic, political, and social similarities together. The marginalization of the minority Muslims led to the demand for a Muslim-only country. After independence, people crossed over to areas dominated by those

of their culture and faith.¹ Pakistan occupied two distinct regions (Pakistan East and Pakistan West) with a population of about 200 million people, while India had 570 million people.²

The partition of British India in 1947 saw the unequal division of the army, where India received two-thirds of the forces while East and West Pakistan each received a third. This was due to the fact that Pakistan, which had a majority Muslim population, had a smaller military than Hindu-majority India. British India had 550 states who were given a chance to choose where to belong between India and Pakistan. The Hindu maharaja of Jammu and Kashmir opted to join the majority Muslim territory with India. This has remained the basis of contention and numerous wars between Pakistan and India to date. At the time of partition, Pakistan's military was still headed by British officers who could not lead a war in Kashmir.³

The two neighbours fought barely two months after independence over Kashmir, thus marking the beginning of a bitter rivalry between the two countries that has lasted to date. Since the first Kashmir War of 1947, they have faced off in nine other wars, the latest being the 2019 standoff. Persistent wars and the secession of Pakistan East to create Bangladesh prompted the administration of President Muhammad Zia-ul-Haq to order the acquisition of nuclear weapons for national security. The process began and ended with a successful test in 1984.⁴ Ten years earlier, India had tested its atomic bomb, thereby becoming the sixth country to develop nuclear weapons. However, though India possesses nuclear weapons, it has not formally declared the size and quantity. India was prompted to develop nuclear weapons as a deterrence measure, especially against China, notwithstanding its persistent wars with Pakistan. India and China fought over a border dispute in 1962, which was lost.⁵ To date, the two countries still have border issues that are yet to be resolved.

Dynamics of Grand Strategy

Grand strategy is the assembling and deployment of instruments of national

¹ Waqar-un-Nisa. "Pakistan-India Equation: Determinants, Dynamics and the Outlook." *Policy Perspectives: The Journal of the Institute of Policy Studies* 14, no. 1 (2017): 23-57

² Maxwell, Neville. "China and India: The un-negotiated dispute." *The China Quarterly* 43 (1970): 47-80.

³ Jones, Owen Bennett. "Pakistan: Eye of the Storm (New Haven and London, Yale University Press)." (2002): 196.

⁴ Kerr, Paul K., and Mary B. Nikitin. *Pakistan's Nuclear Weapons*. Congressional Research Service Washington United States, 2016.

⁵ Maxwell, Neville. "China and India: The un-negotiated dispute." *The China Quarterly* 43 (1970): 47-80.

power in an effective and coordinated way in order to advance and achieve the state's political objectives. Essentially, grand strategy is concerned with directing and coordinating national resources with the aim of achieving national interests. Consequently, when a state's sovereign goals are threatened, it is bound to resort to grand strategy. For example, in the conflict between Russia and Ukraine, where there is a possibility of intervention by NATO, Russia must have assembled its instruments of national power in order to achieve its political objectives. So were India and Pakistan in their wars in the 1960s and 1970s.

As rational actors in the international system, both India and Pakistan have an obligation to project and protect their individual national interests in an anarchical world where the only motivation is power. State sovereignty and territorial integrity are thus essential to the existence of both countries and must be defended at all costs. The end result is perennial wars, in which both sides have fought several times. To this end, *realism* theory thus explains the persistent confrontations between India and Pakistan over Jammu and Kashmir. Both countries developed nuclear weapons for deterrence and national defence in order to ensure their own security.

Elsewhere, the steady rise of China and now India has implications for world peace and international security. Currently, global peace and security are in the hands of the US and the West, so the rise of the two Asian economies is geared towards tilting the balance of both security and the economy and, consequently, world politics. The implication is a new world order with new centres of power polarity. So far, no one can tell the effects of the changing world. This is, however, not to say the US and its Western allies will be pushed out of international politics. Realpolitik will most likely determine international politics and, consequently, world peace and security. There will be new alliances to match the power equilibrium, including states in Asia.⁶ In "politics Among Nations", Morgenthau argues that international politics is a power brawl between states at different levels; the stronger ones are at the apex and the weak ones at the bottom.⁷ This explains the power relations between India and Pakistan.

The essence of grand strategy is to synthesize the principal four major areas of national security policy and ensure the synergy of top decision-makers. A "grand strategy" therefore integrates the country's security, economic, political, and diplomatic policies at the highest level to advance its national

⁶ Kerr, Paul K., and Mary B. Nikitin. *Pakistans Nuclear Weapons*. Congressional Research Service Washington United States, 2016.

⁷ Morgenthau, Hans, and Politics Among Nations. "The struggle for power and peace." *Nova York, Alfred Kopf* (1948).

interests. Since grand strategy is military intensive, as argued by Liddell Hart, the country top leadership ought to be reading from the same script. The growing anxiety in the region motivated India to upgrade and modernize its military. For instance, India wants to transform its military into a powerhouse with the capacity to influence events far and wide. It plans to transform the Indian Air Force to become the most powerful in the region, with a capacity to reach the Strait of Malacca and the Persian Gulf.⁸ It further intends to develop an intercontinental ballistic missile with a 5000-kilometre range and also manufacture aircraft carriers and docking ships to facilitate exploratory warfare.⁹ Applying the “regional doctrine” strategy, India’s Indira Gandhi called for non-interference in regional affairs by China and the United States due to the increasing influence both countries wielded in the sub-region. India presents itself as the sole power in the South Asian region and thus must be consulted first.¹⁰ The long and short of it is that India seeks to project its prowess in the region with international influence.

India’s Grand Strategy and Power Projection

India’s statecraft and war strategy are crafted along with the six divisions of Kautilya’s policy (“peace, War, Neutrality, Marching, Alliance, and Double Policy” that he prepared prior to the invasion by Alexander the Great as contained in the Arthashastra. However, the post-independence security strategy was geared towards equipping and modernizing the Indian military more, especially in the wake of Chinese aggression and the need to neutralize Pakistan offensively. Owing to the unfolding events in the region, such as the United States’ support for Pakistan and the invasion of Afghanistan by the Soviet Union, India sought to strengthen its military and take the leadership of the South Asia region. On the other hand, Japan and the US are now calling upon India to counter the growing hegemon of China.¹¹

⁸ Bedi, Rahul. “Getting in Step: India Country Briefing.” *Jane’s Defence Weekly* 6 (2008).

⁹ Ladwig III, Walter C. “India and military power projection: Will the land of Gandhi become a conventional great power?” *Asian Survey* 50, no. 6 (2010): 1162-1183.

¹⁰ Hardgrave, Robert L. *India under pressure: Prospects for political stability*. Routledge, 2019.

¹¹ Hagerty, Devin T. “India’s regional security doctrine.” *Asian Survey* 31, no. 4 (1991): 351-363.

Without necessarily calling it a grand strategy, India initiated the National Interests and Objectives that integrated all the instruments of power. India's grand strategy, which falls within the realm of homeland security, economic development, promotion of national values and creation of favourable international relations, is developed not only to advance its interests but also to defeat its rivals.¹² Kanwal argues that it is in India's interest to be certain that its nuclear deterrence strategy is operational in view of Pakistan and China as it ensures its survival. He argues that India should be in a position to protect its air space and maintain a strong navy to protect India's trade routes since more than 97% of India's trade is through the sea. With a GDP of between 7-9 per cent, India's defence budget rose from USD 11.8 billion in 2001 to USD 80 billion in 2015. It commands a fleet of over forty ships and other assorted maritime warfare hardware. He sums up by arguing that India's national interests require a well-trained and modernized military.

Power projection refers to the ability of a country to exercise its military strength by rapidly and effectively tackling different crises in different places (internally like the subduing of Tamil tigers and externally) while at the same time defending the country and advancing regional stability.¹³ The Indian Ocean is an economic asset to India, and thus its protection is of utmost priority. India's objective is to become a maritime power within the Indian Ocean and beyond. For example, it provided an escort to American shipping lines in the Malacca Strait and other shipping lines in the Gulf of Aden to protect them from pirates in 1987 is on record as having used its military in a show of power in Sri Lanka. As a show of might, India also deployed its naval forces in the Persian Gulf and the South China Sea.¹⁴ India's ability to exert influence at home demonstrates the country's growing national power.

India's sea power has formed the foundation of its international presence due to the neighbouring Asian sub-regions that India serves. This does not demean the importance of land and air forces as they both have played significant key roles in projecting India's power capabilities. India's external trade is by sea; hence it has set itself to strategically strengthen its maritime capabilities. In the interest of protecting the country's blue economy, India's maritime strategy includes being in possession of amphibious landing ships, surface ships, and automated submarines with surface-strike ability as a form

¹² Kanwal, Gurmeet. "India's national security strategy in a nuclear environment." *Strategic Analysis* 24, no. 9 (2000): 1591-1628.

¹³ Gortney, William E. *Department of defense dictionary of military and associated terms*. Joint Chiefs of Staff Washington, 2010.

¹⁴ Ladwig III, Walter C. "India and military power projection: Will the land of Gandhi become a conventional great power?." *Asian Survey* 50, no. 6 (2010): 1162-1183.

of influence as well.¹⁵

Equally, India's airpower seeks to oscillate between the Straits of Malacca and the Persian Gulf. India's air force is furnished with equipment that can serve in all weather, has the capacity to reach far, has the precision ability, and also has the ability for air-to-air refueling. India has an integrated defence staff totaling over 3000. With a fleet of 665 combat aircraft and still acquiring more, such as the agile Rafale from France, the Indian Air Force is modernizing pretty fast, especially in "missile and mechanized warfare."

The arms race sparked by India's desire to defend itself against its perennial foe and a stronger army to the north has left the South Asian region in a state of perpetual conflict. Regional politics notwithstanding, the relationship between India and Pakistan is defined by their longstanding suspicion originating from independence. Today, both India and Pakistan are engaged in curbing internal conflicts emanating from disgruntled elements and "sponsored terrorism" The countries accuse each other's intelligence organizations of sponsoring terrorism in each other's countries.

Pakistan's Grand Strategy

Though Pakistan is a civilian democracy, it has passed through a 30-year period of intermittent military administration (1958 to 1971, 1977 to 1988, and 1999 to 2008). It still remained as part of Pakistan's government even during a civilian administration, and Pakistan's military has been a player in regional geopolitics as well. Due to the nature of its politics, Pakistan has engaged militants to boost its national defence as part of its national strategy.¹⁶ For a period of time, Pakistan has depended almost entirely on the United States, which, on the other hand, has been a key mediator between Pakistan and India. The economic rise of neighbouring China and the collaboration that the two share has seen China somewhat replace the US. Through the China-Pakistan Economic Corridor (CPEC), a mega project under the Chinese Belt and Road Initiative (BRI), comes an investment of approximately USD \$60 billion. This is against the backdrop of America's cutting the USD \$1.3 billion in aid it has been extending to Pakistan on the grounds that Pakistan was sponsoring terrorism in Afghanistan.¹⁷ Aslam and Thayer argue that Pakistan's leadership made a mistake by abandoning the US in favour of China. However, Chinese

¹⁵ Navy, Indian. "Freedom to use the seas: India's maritime military strategy." *New Delhi: Integrated Headquarters, Ministry of Defence (Navy)* (2007).

¹⁶ Kapur, Paul. *Jihad as grand strategy: Islamist militancy, national security, and the Pakistani state*. Oxford University Press, 2016.

¹⁷ Aslam, Wali, and Bradley A. Thayer. "Pakistan's grand strategy: the poverty of imagination." *Contemporary South Asia* 28, no. 3 (2020): 351-358.

authorities argue that their relationship with Pakistan is mainly economic and access to the Indian Ocean, which Pakistan is effectively offering in return.

Additionally, China is assisting Pakistan to revive its economy while at the same time constructing a naval base in Jiwani, approximately 80 kilometres west of Gwadar port that China had earlier built for Pakistan.¹⁸ This base provides China with room to service its fleet within the Persian Gulf. However, China's presence in Pakistan is not viewed positively, with government critics claiming that China is only interested in expanding its influence to the Persian Gulf via Pakistan, while the latter gains nothing significant. However, Pakistan's grand strategy is related to economic development so as to have the capacity to support national security and power.¹⁹ However, the country has relied on bilateral and multilateral sources to fund its statecraft, which has primarily aimed to promote military and economic growth. To this end, the military has been at the forefront of promoting Pakistan's foreign policy by engaging external financiers. The implication is that for a period of time, Pakistan's diplomacy was more reactive and transactional and not integrated to promote the country's overall national interests.²⁰

The main reason Pakistan obtained nuclear power was to deter attacks from India. Pakistan's leadership says the nuclear posture and stockpile are there as a show of force and as a last resort weapon.²¹ The humiliating defeat of the 1971 war with India prompted Pakistan to pursue nuclear enrichment as a means of deterrence against India's military prowess. Pakistan Prime Minister Zulfikar Ali Bhutto always wanted to have some kind of weapon with which he could threaten India. He had sworn that Pakistan would have to make or do whatever it had to do to obtain its own nuclear weapons.

In 1972, Pakistan's route to the acquisition of nuclear weapons began by assembling a team of scientists operating under the Pakistan Atomic Energy Commission (PAEC).²²

Pakistan-China Nuclear Cooperation

Pakistan and China have come a long way diplomatically. Pakistan was the first Muslim country to recognize China in 1950. Though the relations were not

¹⁸ Gertz, Bill. "China building military base in Pakistan." *The Washington Times* 3, no. 1 (2018).

¹⁹ Zaman, Arshad. "Sovereign Development Toward a Grand Strategy for Pakistan." *The Pakistan Development Review* (2016): 39-64.

²⁰ *ibid*

²¹ Sanger, David E., and Eric Schmitt. "Pakistani nuclear arms pose challenge to US policy." *New York Times* 31 (2011).

²² International Institute for Strategic Studies. *Nuclear Black Markets: Pakistan, AQ Khan and the Rise of Proliferation Networks: A Net Assessment*. IISS, 2007.

entirely cordial, China supported Pakistan during Pakistan's war with India in 1965. Pakistan has become a valuable jewel in the eyes of the United States as a result of its close relationship with China. The US used Pakistan to facilitate a visit to China by Henry Kissinger, then the US National Security Advisor. In response to Pakistan's gesture, China promised that it would support Pakistan to protect its sovereignty. This coincided with the 1971 Indo-Pakistan war and also when Bangladesh had just seceded from Pakistan. This relationship was eventually extended to nuclear power generation cooperation. The relationship sparked international concern to the point where, in 1976, US Secretary of State Henry Kissinger met with Pakistan Prime Minister Zulfikar Ali Bhutto to discuss nuclear cooperation between Pakistan and China. The nuclear treaty was eventually signed in 1986 during the height of the Cold War. In 1991, China constructed the Chashma 300-MW nuclear power reactor for Pakistan.

China has been a close supporter of Pakistan in the sense that when India and the United States made an agreement on the Indo-US nuclear agreement, China came out to defend Pakistan, arguing that the preference extended to India should be extended to Pakistan as well. China argues this is on the principle of an equitable approach to the region. To compensate for this mission, China promised to construct four extra nuclear plants to meet its growing local needs. However, due to Nuclear Suppliers Group (NSG) requirements, this agreement appeared to contravene the non-proliferation regime with some implications within the region.²³

The move to supply Pakistan with nuclear power was meant to encircle India and serve as a buffer and, at the same time, serve as a deterrent aimed at guaranteeing the security of Pakistan against the onslaught of India.²⁴

Possession of nuclear power in itself is part of Pakistan's grand strategy to the extent that it also weighs on regional security and stability. It has enabled deterrence and blocked India from intimidating the region. Possession also serves to balance power within the South Asian region. On the other hand, the nuclear power cooperation between Pakistan and China makes India suspicious of China and hence India's close relationship with perceived nemeses of China such as the US, Japan, and Taiwan, among others. The possession further extends Chinese technology to the Middle East and West Asia.

Nuclear weapons enrichment was a policy adopted by both countries as a means to stop the gap in ensuring the security and safety of their people. By 1984, both had become nuclear powers, so conflict was approached with

²³ Ramana, Siddharth. "China-Pakistan nuclear alliance." *China-Pakistan nuclear alliance* (2011).

²⁴ Wu, Haotan. "China's Non-proliferation Policy and the Implementation of WMD Regimes in the Middle East." *Asian Journal of Middle Eastern and Islamic Studies* 11, no. 1 (2017): 65-82.

extra caution. With an estimated arsenal of more than 130 nuclear weapons, Pakistan is rated as the sixth country with the highest number of warheads. Similarly, India has massively modernized its military, leading to a newly defined dynamic and spirited foreign policy in respect of the South Asia region as a result of developing regional threats.²⁵ To a certain extent, nuclear deterrence has scaled down the possibility of all-out war between the two countries, but it has not been able to prevent border conflicts.²⁶ For instance, the 1998 nuclearization of India and Pakistan ensued in the 1999 war, followed by a two-year standoff between the two.

Over the years since independence, India has been building its military capabilities to the extent that it can now boast of having over one million well trained and equipped reserve forces ready for deployment as and when needs arise.²⁷ The First Kashmir War served as an eye-opener. It led India to develop its **first grand strategy** through cooperation with other developing states, close relations with China, being non-aligned in cold war politics and retaining a superior military over Pakistan. This was enhanced by heavy defeat during the 1962 Sino-Indian war and soon after the 1965 second Kashmir war, perpetuated by the Pakistan leadership. The expansionist appetite that India had adopted (acquisition of Sir Creek and Siachen Glacier in the north of Kashmir) was claimed by Pakistan to be strategically protected, hence the securitization postures adopted by both countries. Additionally, the utilization of natural resources like water demanded diplomatic and political solutions, leading to the 1960 Indus Water Treaty that India violated by constructing dams along rivers allocated to Pakistan.²⁸

Minimum Deterrence: Military Strategy

Prior to the 1999 Kargil Crisis, India and Pakistan had faced off in three other battles. The 1972 Simla Accord was signed, providing mechanisms how for resolving future disputes, including Kashmir. In 1984, “operation Meghdot” placed India in control of the Siachin Glacier, over which Pakistan lays claim. Since then, Pakistan has launched several unsuccessful military operations to secure the area. Further, the military mobilization during “operation Parakaram” in 2001/02 had the potential to ignite a fierce war between India

²⁵ Waqar-un-Nisa. “Pakistan-India Equation: Determinants, Dynamics and the Outlook.” *Policy Perspectives: The Journal of the Institute of Policy Studies* 14, no. 1 (2017): 23-57.

²⁶ Sultan, Adil. “South Asian Stability-Instability Paradox: Another Perspective.” *IPRI Journal* 14, no. 1 (2014): 21-37.

²⁷ Power, Global Fire. “2019 Military Strength Ranking.” (2018).

²⁸ Kakakhel, Shafqat. “The Indus Waters Treaty: Negotiation, Implementation, Challenges, and Future Prospects.” *Pakistan Horizon* 67, no. 1 (2014): 43-57.

and Pakistan following an attack on the Indian Parliament by members of a Kashmir militant group.²⁹ Sultan argues that there was no other reason that prevented a full-blown war other than being in possession of weapons of mass destruction.

In the interest of “unclear conventional balance and the achievement of “sovereign defence”, India has since 2016 been engaged in a ten-year program of strategic military upgrading and modernization in which it is in the process of investing USD 150 billion. The acquisition has, to some extent, stabilized the region militarily. India’s grand strategy has put in place the “**old Start Doctrine**” (CSD) concept that minimizes wartime contact hours to four days and subdues the enemy. In reaction to the Indian strategy, Pakistan developed the “**I Nasr**” the **tactical nuclear weapon** (TNW). The concept of minimum deterrence implies that both countries acquire the arms they need with the aim of limiting the other from overrunning them in case of a confrontation. Both countries acknowledge that they practice a credible minimum in that none would pursue an arms race to deter the other. However, this interpretation is dependent on the changing environment and individual countries’ economic and diplomatic strength.

Both CSD and TNW are military strategies aimed at balancing power and, to some extent, strengthening deterrence against the enemy. They also developed special vehicles (MIRV) to enhance deterrence. Pakistan’s military leadership argued that the TNW was a force multiplier as well as an extension of their battlefield nuclear weapons and conventional deterrent capabilities. Pakistan’s nuclear policy is intended to discourage all categories of external aggression³⁰ On the other hand, India has deployed the Kautilya strategy of surrounding its enemy with its allies with a view to pressurizing Pakistan into a diplomatic engagement. The strategy strangles Pakistan in the sense that it gives India an opportunity to advance its strategic and military capabilities at the expense of Pakistan. For instance, through the MSG waiver, India entered into a nuclear technology transfer program with a number of countries, thus enabling it to obtain more fissile materials for nuclear weapons production.³¹ The move emboldened India to become more forceful within the region.

²⁹ Sultan, Adil. “South Asian Stability-Instability Paradox: Another Perspective.” *IPRI Journal* 14, no. 1 (2014): 21-37.

³⁰ Ahmed, Mansoor. “Pakistan’s tactical nuclear weapons and their impact on stability.” *Regional Insight* (2016).

³¹ Khan, Zafar. “The changing Contours of minimum deterrence in South Asia.” *Policy Perspectives: The Journal of the Institute of Policy Studies* 13, no. 1 (2016): 77-96.

THE MEDIA, PUBLIC OPINION, AND NATIONAL SECURITY

Staff Brig Gen. Mohamed Y. Z. Mahmoud - Egyptian Army

Abstract

The media generally informs and reflects the public as it plays a crucial role in influencing public opinion. The media is critical in articulating national security issues. There are usually several analytical approaches. The media act to influence decisions that are made in foreign policy; in this case, the media appear as a watchdog, observer, and active participant or as a catalyst for policy change. The role of the media (the press) as the fourth power and a forum for public debate has become so well established that the concept of the media as a primary gatekeeper of public interest and a vital link between the people and their government is now deeply entrenched.

Introduction

Media can be broadly defined through the manner in which a specific piece of information is presented, and it can affect the extent to which the information is disseminated as well as influence the opinion of the public while giving the report.¹ The presence of 24-hour media inclusion prompts a constant progression of information and news that impacts government dynamics. The consistent progression of data is, in some cases, seen as the prevention of homegrown issues or issues identified with public safety, and in the process, the media plays as a plan setter, which will eventually shape international strategy. In global relations, the job of the press is a highly fantastic component since it can cover a lot of data in a brief time frame.

Research Questions

1. What is the influence of the media on public opinion and security?
2. What is the Role of the News Media and Public Opinion in the National Security Process?

Theoretical framework

Based on an empirical background of the 1968 United States of America

¹ Cohen, Bernard. A View from the Academy in Taken by Storm: The Media, Public Opinion and US Foreign Policy in the Gulf War, Chicago University of Chicago Press, (1994), p. 91.

Presidential election, Maxwell McCombs and Donald Shaw put forward the agenda-setting theory. They suggest that out of all the phenomena and events that go on in the local, national, and international arenas, the media are very particular about the events that they choose to communicate and broadcast.

In the development of the theory, thus, three types of agenda-setting have been put forward which are public agenda-setting, media agenda-setting, and policy agenda-setting. In the context of the review of the relationship between the media and public opinion as regards national security, it may be considered that the latter two are more relevant. Media agenda-setting is related to the influence the media has over what news is deemed to be significant. Policy agenda setting, on the other hand, is associated with the result that both the public and the media exert on the public policy decision-making process.

The Media's Influence on Public Opinion

Public opinion is a set of individual opinions, beliefs, and ideas about a particular topic that is expressed by a large part of society.² It has also been defined as an opinion thought out by a private person, and governments find it wise to act on it. It can also be described as a set of ideas for a particular population. Public opinion plays a vital role in many areas of daily life, including politics, culture, literature, the arts, consumer spending, fashion, marketing, and public relations. For a marvel to qualify as a popular assessment, it should have a sign that there is an issue close by and countless individuals who express their perspectives on it. Their views ought to mirror an agreement, which thus ought to apply straightforwardly or in a roundabout way.

Then again, the media can impact popular assessment from multiple points of view. Plan setting by the media is the capacity of the press to put significance on subjects of public interest at some random time. Agenda setting is driven by media bias in selecting the stories that are to be reported and how they will be written, and this is across different topics, be they politics, security, environmental and cultural issues.³ The agenda is set through a process known as “accessibility,” which means that whenever the media frequently and prominently covers a particular topic, that topic will remain in the audience's memory. It has an impact on what individuals think that the larger population is thinking.⁴ In many instances, the media sets the agenda according to its

² (Davison November 13, 2020) Public opinion

³ McCombs, M (2005). “A look at agenda-setting: Past, present and future”. *Journalism Studies*. 6 (4): 543–557. doi:10.1080/14616700500250438. S2CID 16806434

⁴ Iyengar, S (1990). “The accessibility bias in politics: Television news and public opinion”. *International Journal of Public Opinion Research*. 2: 1–15.

preferred preference, and it ends up influencing the public to make decisions based on the plan they have set. A good example is the Japan mayoral election of Tokyo Metropolitan, where the media narrowed on three issues of local taxes, urban facilities, and welfare as the determinants, although the public had seven points.

The media employs this strategy to draw attention to specific issues while ignoring others and to shape public opinion about public figures, which influences the standards by which government policies, presidents, and other public officials are evaluated. On many occasions, when a government official is accused of wrongdoing, we see the media elevating and priming the issue to a point where it is able to sway the public to believe that a crime has been committed even before the investigations are complete. Put on the media plan. “Mass culture” is the cycle by which the media characterize our opinions and stress over them. Lippmann noticed that the media overwhelms the creation of pictures in an individual’s head. It was accepted that the crowd doesn’t respond to actual occasions but to the images in our minds.⁵

Mass media and social media, which include print media, social media, opinion websites, television, radio, email, and blogs, are essential in affirming attitudes and opinions that are already well-known. The political press and public relations have an influence on public opinion through advertising techniques that are designed to bring out the message in a way that will change the minds of the people. Public opinion is now shaped by a broader range of social media moves and new sources. Mass and social media are significant in influencing public opinion by affirming attitudes and beliefs.

The Media and National Security

National security is interdisciplinary between fundamental beliefs, hypotheses, security interests, challenges, the executives’ decisions, and different angles that cover all spaces of the public endeavour, like a guard, country security, monetary and innovative security, and so on, all interconnected.⁶ The dominant player influencing the national security decision-making process is the media. To understand how the press occupied such an influential position, one must examine its development stemming from experiences in World War II, Vietnam, and the last large-scale deployment of the military in the Gulf War.⁷ The media is one of the factors affecting the national security decision-

⁵ Ibid, (2000), p. 15.

⁶ Webber, Martin and Smith, Michael. *Foreign policy in a transformed world*. (Harlow: Prentice, 2000), p. 11.

⁷ Ibid

making process.⁸

The media has had the option to have a considerable effect by featuring the condition of the relationship that has been building in Africa, reinforced by the way that states are committed to looking for global authenticity for their goals, not just to acquire help with projects, but in addition to staying away from discipline by the worldwide local area.⁹

Media, Public Opinion on Security and Development

The media should act to set the plan and make a popular assessment that ensures the security organs and advancement projects. The tactical requirements of the media are to educate people in general regarding its job and keep up with mainstream support. While the media is to a great extent subject to the military for data during outfitted clashes, the media are fundamental to educating the general population regarding military activities. However, they face limitations from the public authorities and military.¹⁰ Positive and negative media are considered to be security. The challenges to national security are often of a non-military nature and focus on internal threats to the state rather than external threats. With this in mind, there have been many discussions raised on the issue of the media's responsibility to influence the public.

The media assumes a significant part in the development being done by upgrading public life, impacting the focal point of residents' consideration and introducing numerous realities and assessments that comprise perspectives. Studies investigating the impacts of the media on decision making have had mixed outcomes on whether the media really impacts public opinion. The media should be able to set the agenda by priming critical issues in government with the goal of promoting good governance and creating a general opinion that allows citizens to play their role in demanding accountability from the government. The government needs to be held responsible not only for the launch of these flagship projects and reforms but also for their accountability and transparency in progress. This is done by relaying information through the media on the opportunities available for Kenyans to support and invest in these projects with the aim of creating employment and reducing poverty levels. Most newspapers have business segments that provide accurate financial information to potential investors, local and international economic issues, currency markets, and local and international trade.

⁸ Vasquez, John. *Classics of International Relations*, 3rd ed. (New Jersey: Prentice Hall, 1996), p. 200.

⁹ Leonard, Malcom. *Diplomacy by other means*. Foreign Policy, (2002), p. 60.

¹⁰ *ibid*

The Role of the News Media and Public Opinion in the National Security Process

Kenya continues to be the focal point of a vote-based system and promulgation to achieve its public advantages, one of which is access to data, which assists its residents in making mindful and targeted decisions, providing answers to conflict resolution, and energizing the perspectives of its diverse individuals. The media furnishes a stage to associate with or impact individuals. Furthermore, it played an enormous role in the instrument of statecraft, particularly during the period of data upheaval. Thus, the value of the media expands its significance as a viable and successful instrument as far as building trust or advancing questions among individuals on issues identified with public safety.¹¹ In any case, paying little heed to the level of autonomy and unprejudiced nature accessible to the media, it has been generally seen that on issues of safety and public interest, the media follow public lines.¹²

In certain occurrences, regardless of the way we think twice about autonomy and honesty, the media has been used by both states to advance their public reasons at the expense of inciting disdain and asperity. For instance, worldwide media and different wellsprings of data are being utilized to spread the nation's plan, for instance, in countering psychological oppression. In reality, it tends to be that perhaps the best method for fighting is through promulgation, pointing toward sabotaging the desires of individuals. The essential apparatus of purposeful publicity is the media. Hitler, for example, had relied on Goebbels' entire service to complete his mission.¹³ The media, particularly the electronic media, play an additional role in countering the antagonistic publicity from across the lines. It has been a device for building assurance. With regards to the military, morale is the craving to battle for the public good as far as possible. In this way, in war, mental activity isn't the lone capacity of the media with regards to public safety, yet it should fill in as a scaffold between the military and individuals.¹⁴ Some of the methods that are adopted in the struggle through the media to get the desired results are the repetition of lies, the presentation of a persuasive personal opinion as truth, major propaganda, control over the selection of information, and yellow journalism.¹⁵

¹¹ Gartzke, Erik. 2006. "Affinity of Nations Index, 1942-2002." Columbia University Version 4.0.

¹² Ungerer C., (2012). Social media and national security, ASPI Strategic Policy Form, 27 February 2012, p1

¹³ Ibid Pg.4

¹⁴ Sultan M Hali, 'Media Imperialism', *the Defence Journal*, March 24, 2003.

¹⁵ Ibid.

How Public Opinion Influences the National Security Decision-Making Process

The concept of representative government has been adopted across the globe. The assumption here is that voters have a say through their elected representatives and that there is a constructive relationship between public sentiment and national security strategies.¹⁶ The general assessment is the essential variable of the international strategy of a majority-rule government in a low-security climate. Viewpoints about the relationship of popular assessment to policymaking contrast endlessly. A few researchers, for example, “LasWille”, are of the assessment that when settling on choices identified with public safety, ought to be directed by popular assessment, so the desire of individuals is regarded.¹⁷

For a few reasons, the presence of an outer danger makes political pioneers disregard popular assessment. To start with, security dangers force political authorities to dismiss popular assessment in their essential job as the safeguard of the state to accomplish everyone’s benefit of state endurance and to exploit the increases that fruitful strategy brings.¹⁸

Conclusion

- The media generally informs and reflects the public as it plays a key role in influencing public opinion.
- Politics, culture, literature, and the arts, as well as consumer spending, fashion, marketing, and public relations, all rely heavily on community perception.
- Mass media and social media, which include print media, social media, opinion websites, television, radio, email, and blogs, are essential in affirming attitudes and opinions that are already well-known.
- The dominant player influencing national security decision making is the media.
- The media should act to set the agenda and create a public opinion that protects security organs and development projects.
- The utilization of online media and informal communities has become a significant power in political association, social cooperation, and the financial turn of events.

¹⁶ Page, Benjamin I. and Robert Y. Shapiro. 1983. “Effects of Public Opinion on Policy.” *American Political Science Review* 77, no. 1: 175-190 at 175.

¹⁷ Harold D. Lasswell, *Democracy through Public Opinion* (Menasha, WI: George Banta Publishing Company, 1941), 15

¹⁸ Waltz, Kenneth N. 1979. *Theory of International Politics*. New York: McGraw-Hill.

- The constitution of Kenya affirms the freedom and independence of electronic printing and all other types of media.

SECURITY COUNCIL OF THE UNITED NATIONS

THE PENHOLDER SYSTEM

Mr. Boniface K Munzala - Ministry of Foreign Affairs

Abstract

This article examines the decision-making process of the UN Security Council when it adopts final documents (resolutions, presidential statements, and press releases). It's commonly accepted that thanks to their veto power and autonomy, China, France, Russia, the UK, and therefore the US have greater influence than their elected counterparts in shaping results. Recently, this control has been reinforced by the penholder system. According to this practice, one or more members, generally France, the US, or the UK (P3)¹, take the lead on a situation on the Council's agenda.

When “holding the pen,” a member decides what action the Council should take, then drafts a final document that negotiates with the opposite permanent members before sharing it with the elected members. The article explores the events of this practice and its impact. Although it concentrates power in the hands of the P3, it reduces transparency and the ability of all members to participate.

To participate in the Council's decision-making.

This article provides background information on a new practice of the SC during which

The permanent members (P3) still play a leadership role on most issues specific to every country and on certain topics on the Council's agenda. The practice has been dubbed the “penholder system,” but the function of a penholder goes beyond initiating drafts and includes, with rare exceptions, taking the initiative altogether on all matters, including meetings and visiting missions.²

In this article, the theoretical framework will be based on realism, which emphasizes the role of the state, national interest, and military power in world politics.

The penholder also presides over the negotiations on a draft and speaks first whenever the Council discusses the matter. The system of continued

¹Security Council Report – Capacity Development Course on the UN Security Council, The Council and its Working Methods

²Loiselle, Marie-Eve. “The penholder system and the rule of law in the Security Council decision-making: Setback or improvement?” *Leiden Journal of International Law* 33, no. 1 (2020): 139-156.

leadership by specific Council members on particular issues has developed gradually over the years, taking firm root in 2010. Although the entire process has been informal, its development may be traced through SC documents and other sources.

In light of recent discussions on the system among current and incoming members, the SC report has compiled a short history and analysis of this practice. The penholder system:

What it is and the way it worked When the activity of the SC increased considerably, the P3 was collectively liable for producing the bulk of the drafts. But there have been no firm arrangements.

To assign drafting or convening responsibilities for particular national situations. Different delegations, both permanent and non-permanent, would take the initiative on a selected issue.

The system of continued leadership by specific members on specific issues appears.

It is thought to have emerged in 2008-2009 and is now well established in 2010. Every country's situation that has caught the Council's attention since 2010 (Libya, Yemen, South Sudan, Mali, Colombia)

He has also had a P3 member as a penholder. While the penholders' duties were informal,

They remained unchanged and largely unchallenged, reflecting the permanent positions of these people in the Council. China and Russia (P3) have occasionally been co-authors with the US on non-proliferation issues. This was seen by the elected 10 (E10) as being a rubber stamp and only endorsed decisions already made by the P5.

Now, however, member states that sponsor a resolution also tend to consult primarily with states that may veto their draft resolution, giving the E-10 less influence in the process.

The practice of P5s discussing a project among themselves, sometimes for weeks, before distributing it to elected members has been in use since the early 1990s, usually on problems of particular importance to at least one or more permanent members. Then the agreed text was distributed to the elected members, often near the expected adoption date. Elected members were discouraged from making amendments as this might disrupt the sometimes-laborious consensus reached among the P5s.

Over the subsequent years, this drafting and negotiating trend gradually spread to more situation-specific issues on the agenda, with one amongst the P5s owning the pen in the majority.

Conflict-specific agenda items. The term "penholder" is misleading because

the role goes beyond drafting a final text and chairing subsequent negotiations. With rare exceptions, the pen directs.

In all Council activities associated with this case, like holding emergency meetings, organizing open discussions, and conducting visiting missions, The penholder speaks first whenever the matter is

It is discussed. This member also tends to share your project with the entire Council quite late, usually near the adoption date, leaving little time for full negotiations within the Council.

The chairmen of the 14 Council sanctions committees (all of whom are currently elected members) are generally not included within the editorial resolutions on matters of “their” countries, including when the draft deals with questions of sanctions, and therefore the penholder rarely shows the primary drafts. Attempts to vary the system by elected members questioned the penholder system, as did UN members normally, because of concerns about the growing gap between permanent and elected members. Since then, more and more elected members have been added.

As other members of the UN have raised concerns about the penholder provisions during the annual public speech on the working methods of the Council.

Several elected Council members highlighted the negative impact of the system on the Council’s ability to be more inclusive and transparent, noting that the system transcends the principle of

The sense of collective responsibility that underpins the Charter

Non-penholders must either accept a text when presented, or they risk being accused of torpedoing important documents. The two remaining permanent members, China and Russia³, have expressed their doubts over the years regarding the penholder system. Russia, particularly, has criticized the system in all open discussions on working methods since 2012. Speaking during the chat

On November 26, 2012, the Permanent Representative of Russia, Ambassador Vitaly Churkin, said: “We are convinced that the goal of improving both the transparency and democratic character

The Council’s work would be aided by a more equitable distribution of responsibilities within the informal management of the so-called penholders system.” During the 2016 debate on working methods, the last before his death

³ Security Council Report – Capacity Development Course on the UN Security Council, The Council and its Working Methods.

in 2017, Churkin said: “We note that, in recent years,

The activities of non-permanent members have increased considerably. An evolution that

We welcome Many of our non-permanent colleagues not only to help resolve urgent issues.

Indeed, they also provide substantive initiatives and drive improvement in important areas of the Council’s work. We are convinced that the Security Council would take pleasure in further democratization of its work. “

During the 2012 debate, then-Permanent Representative of China Ambassador Li Baodong said:

“The Council should comprehensively and patiently conduct negotiations and consultations.”

To reach a broad consensus. The Council must avoid imposing texts on which serious divergences remain, so as to safeguard the solidarity of the Council “(S/PV.6870).

The Council issued a Chairman’s Note (April 2015) stating that members agreed to support

When applicable, the informal arrangement by which one or more Council members.

Initiate and chair the informal drafting process of documents, including Council resolutions, presidential statements and press releases. The note specified that any member of the Council could hold a pen. The document also underlined the commitment of Council members to strengthen the participation of all members within the drafting process, including through early and timely exchanges and consultations. The note failed to make any changes to the practice.

Russia circulated a draft Presidential Note (June 2018) proposing changes to the system with the stated aim of improving the efficiency of the Council. The Russian project called for all Council members to act as sponsors or co-sponsors and proposed that the process of appointment

The number of penholders should be similar to that of the chairpersons of the subsidiary council bodies. Recent examples of elected officials taking office over the past five years include elected members who have served as Penholders on several occasions and have become important Council results writers.

In each case, this was done by taking the initiative rather than seeking prior consent, and the examples show considerable tactical thinking. The most important and oldest example refers to the penholder on the humanitarian aspects of the conflict in Syria. In 2013, Australia and Luxembourg, serving on

the Council from 2013-to 2014, began to jointly draft Council decisions.

On the subject, a presidential statement on humanitarian access to Syria was published.

A resolution was adopted unanimously in February of 2014. The Venezuelan (February 2016) initiated a debate in the Council on the politically sensitive issue of the Council's approach.

The use of sanctions resulted in an agreement on a note by the President.

The interesting aspect of the process was that Venezuela, with the help of New Zealand, began by circulating her draft among the ten elected members and negotiating it first within this group before submitting it to the full Council. The Council unanimously adopted Resolution 2286 on healthcare (May 2018). It was jointly drafted by elected members (Egypt, Japan, New Zealand, Uruguay, and Venezuela) who led all negotiations on the project and co-sponsorship provided by the majority of Council members. Perhaps setting a new precedent for the Council Presidency.

In order to co-lead visiting missions undertaken during its presidency, Bolivia co-led a visiting mission. France will hold the presidency with the pen in October 2018.

While the system may appear to be effective, there are side effects affecting the effectiveness of the Council. The system creates an unspoken default in which other members submit to the penholder. If a seizure occurs and the penholder is unwilling or unable to take the initiative (for example, because they are already dealing with several seizures), the Council may appear paralyzed or act late. Elected members are completely excluded from the drafting process and only initiate negotiations at the end, at which point they are often discouraged from making meaningful changes because they might disrupt the wording agreed between the P5s, sometimes after difficult negotiations. As a result, the Council may overlook new ideas and approaches that are frequently presented.

After years of reappointments and report reviews, the pens sometimes appear to develop "penholder fatigue." The fact that almost all the results have been drafted by only three delegations means that while the Council is busier than ever, the burden is less shared than in the past. Specific and recurring themes do not belong to any member.

Of the Council in particular. Sometimes, members with interest in a given situation would join forces or compete to produce a draft. The permanent and elected members were systematically responsible for drafting, and negotiations were generally chaired by the presidency of the Council.

With more crises on the Council's agenda, a more structured division of labour seemed necessary, and this gave birth to a system of groups of friends within the Council. The Secretary-General began enlisting a group of states fascinated by a given conflict, often for various reasons, to assist them in their efforts to try their good office as Groups of Friends. On the Council Members with an interest in or a commitment to a topic might meet to draft resolutions with elected and permanent members playing a leadership role (e.g., Canada on Haiti or Norway).

(on the Horn of Africa). These groups often included members who weren't members of the Council and who had experience, specific commitments, or participation in situations (such as Germany). or Australia and New Zealand in East Timor) or had continued to participate after leaving the Council (e.g., Canada vs Haiti). Over the past decade, the system was accompanied by a decrease in the use of friends' groups. The effect appears to be that,

While the Council's demand for action is higher than ever, the burden-sharing within the 15-member body is improving. In their letter (dated November 13, 2018), the elected and incoming members of the Council stressed their belief that a more equitable distribution of labour among all members would positively affect the general effectiveness of the Council.

Kenya is an elected member of the UN Security Council (UNSC) for the years 2021-22.⁴ and was to be the President of the UNSC for October '2021. In the resolution to extend AMISOM's mandate in Somalia, Kenya's input enriched the drafting that was being done by the United Kingdom as the penholder. The draft clearly missed out on African perspectives. Kenya used this opportunity to champion the African agenda and leverage multiple realities for Kenya's national interest. Kenya espouses a rule-based ethos in managing its relations in the international arena. Article 24 of the UN Charter gives the UNSC the primary responsibility for the maintenance of international peace and security. It was fascinating to watch Kenya steer the global agenda during its presidency in the ever-changing international peace.

And security environment. The practice of the penholder system is deeply entrenched in the UN Security Council, particularly with the control of France, the US, and the UK (P3). As the strongest and richest countries, they use this system to project power and secure their national interests.

It will take a lot of compromises and proactive engagement in issues of particular interest to Africa.

⁴Security Council Report – Capacity Development Course on the UN Security Council, The Council and its Working Methods.

THE ROLE OF CIVIL SOCIETY IN THE PREVENTION OF VIOLENT EXTREMISM

Mr. Paul W. Khaoya - Ministry of Interior and Coordination of
National Government

Abstract

This article examined the significance of civil society groups in the prevention of violent extremism. The central argument is that the government and its agencies alone can not win the war on radicalization and violent extremism. The government, in countering violent extremism, has been using hard power, which in some cases has been counterproductive. The article used the inoculation theory and sought to answer two pertinent questions, which are: what is the role of civil society in the prevention of violent extremism? What is the challenge facing civil society in the prevention of violent extremism? The use of civil society, which applies a soft power approach, could yield more positive results in the prevention of violent extremism. This article concluded that there is a need for government agencies to work together with civil society organizations to achieve the overarching goal of preventing violent extremism.

Introduction

Violent extremism is a major threat to the peace and security of many nations in the world today. Governments all over the world have come up with various strategies to counter the upsurge of radicalization and violent extremism. Consequently, laws and policies within the security sector have deliberately been crafted to address the issue of violent extremism. Most of the laws are anchored on the broader strategy that relates to the “prevent” pillar of the counterterrorism strategy, which lays down the foundation for the government’s approach to addressing the whole issue of violent extremism. Its main aim and objective are to inhibit people from being attracted to, or “to support,” violent extremists.¹ This approach to preventing violent extremism builds on earlier methods and has the objective of bringing together different stakeholders from all “sections of society (including public, private, voluntary and community), working with central government to identify the contribution they can make to this agenda.”²

¹Smith P. *Prevention of Violent Extremism Project Report*; swindon Yot, London (2008) p8

²Ibid

Laws alone will not stop terrorism, but countries must seek ways to reduce the risk of transnational terrorism so that citizens can carry on with their daily lives freely and without fear. That is why the soft approach by civil society is embraced to deal with the whole issue of violent extremism. The prevention strategy must deal with disadvantages in society and initiate reforms that address the structural problems such as inequalities and discrimination that cause radicalization. The analysis used the inoculation theory advanced by William McGuire. The theory postulates that individuals possessing rational beliefs are fortified against other streams of irrational ideas.³ Consequently, prevention involves deterring those who expedite and engage in violent extremism as well as individuals who inspire others to turn to violent extremists by altering the situation in which the radicals and those radicalizing others can function.

Definition of terms

The definition of civil society, as used in this paper, means those organizations (community welfare groupings, local and international non-governmental organizations, trade unions, religious and faith-based organizations, voluntary associations, community-based organizations, and youth groups, among others) and communities.⁴ Furthermore, this article adopts the “definition of violent extremism as the readiness to use violence, or support the use of violence, to advance particular political, ideological, and social beliefs”⁵. Radicalization is the process by which an individual is persuaded to passively or actively support violent extremism. Therefore, there is a need to examine the role played by civil society organizations in the prevention of violent extremism.

Prevention of Violent Extremism

The issue of violent extremism has preoccupied the international system in recent years. Many countries have recognized the significance of having a violent extremist prevention strategy. Prioritization of addressing violent extremism as a security concern has culminated in the development of, among other strategies, a “soft security approach”, which is highly considered in the

³ McGuire, W. J. The effectiveness of supportive and refutational defenses in immunizing and restoring beliefs against persuasion. *Sociometry*, (1961). 24, 184–197

⁴ Awuor P. *The Impact of Counter Terrorism Policies and Laws on Civil Society Organisations in Kenya*. in *International Journal of Research and Innovation in Social Science (IJRISS)* | Volume IV, Issue VI, (June 2020)pp 659

⁵ Nasser-Eddine, M., Garnham, B., Agostino, K., & Caluya, G. *Countering Violent Extremism (CVE) Literature Review*. Australian Government, Department of Defence, Command and Control Division, Defence Science and Technology Organisation (DSTO). Edinburgh, Australia(2011)pp14

prevention of violent extremism. The terrorist attack of 9/11 in the United States of America jolted the developed countries in the west to put in place counter-violence extremism policies. These kinds of policies prescribed an intervention that was of a “hard security” strategy in nature. This approach involved surveillance, policing, and the implementation of anti-terror laws, which in some cases were implemented without consideration of human rights.

The absence of a distinctive line dividing the notions of extremism, radicalization and terrorism in states fighting terror climaxed in a framework and tactic that placed the military on the frontline of fighting extremism. However, the experience in Afghanistan demonstrates that the military strategy alone cannot achieve the desired results against the Taliban, who have been accused by the U.S.A. and western allies under the auspices of the North Atlantic Treaty Organisation.

The upswing of local and home-grown extremism in developed countries has led to a rethinking of the efficacy of the hard security approach in preventing and countering violent extremism. Therefore, policies have gradually been re-engineered to combine the hard security approach with the soft security approach. The soft security approach is premised on the consideration of social, cultural, economic, and political drivers of violence, including the situations and undercurrents that enable extremist ideas to occur, propagate, and endure.

“The soft approach to countering violent extremism entails participation of interested groups’ partnerships, working closely with the community, faith leaders, the private sector, women and youth.” For instance, U.N.O.D.C. acknowledges that “while specific phenomena, such as recruitment and exploitation of children, require tailored approaches, prevention measures can only be effective if they are rooted in a comprehensive strategy to prevent violence in general and if they can mobilize different state and non-state actors, including various types of professionals, civil society, and community-based organizations.”⁶

SDG 16.1’s objective to “significantly reduce all forms of violence and related death rates everywhere” provides a framework to look at violence in a more integrated fashion. The increase in the number of school-aged children being radicalized, recruited and initiated into terrorist rings by suspected Islamic school (Madrassa) teachers in predominantly Muslim settlements led to the introduction on July 19, 2018, of the Prevention of Terrorism (Amendment)

⁶ Giulia Melotti et al., *“Handbook on Children Recruited and Exploited by Terrorist and Violent Extremist Groups: the Role of the Justice System”* (Vienna: United Nations Office on Drugs and Crime, 2017), 16, https://www.unodc.org/documents/justice-and-prison_reform/ChildVictims/Handbook_on_Children_Recruited_and_Exploited_by_Terrorist_and_Violent_Extremist_Groups_the_Role_of_the_Justice_System.E.pdf

Bill, 2018 in Kenya.⁷ To efficiently execute such a raft of legislation, recognition and empowering members of the community by creating cohesion while encouraging social interaction are important. Australia has espoused this model in a program referred to as “The Living Together Safe Programme and the Building Community Grants Programme”. Western European countries and the U.S.A. are yet to embrace this approach in addressing the issue of violent extremism beyond their borders.⁸ Prevention of violent extremism endeavours ultimately expanded the plans and structures whose purpose was to nurture peace and development through various actors’ practical tasks in the prevention of extremism. The U.N.U.N. Global Counter-Terrorism Strategy of 2006 was embraced by the United Nations and later transited to U.N.U.N. Security Council Resolution 2178 in 2014, which called on its members to address the issue of violent extremism as a means to prevent terrorism.

The Resolution also calls for the targeting of youths, relatives, womenfolk, adherents to different faiths, traditional and educational administrators, and other relevant members of community organizations in the prevention and countering of violent extremism. Correspondingly, the adoption in 2015 of Resolution 2250 of the U.N.U.N. Security Council called for the upscaling of youth involvement in all stages of making critical choices that touch on their well-being, including in all agencies of government, as a way to confront violent extremist behaviour. It is in this light that civil society has a critical role in countering violent extremism.

Civil Society Organizations’ Role in the Prevention of Violent Extremism

Civil society organizations are best placed to use the soft approach in addressing the issue of violent extremism. This is in recognition of the fact that laws and the use of law enforcement authorities alone by governments are not enough. First, violent extremism and radicalization are an offshoot of grievances that ideologues exploit to convert people to their cause. In this instance, civil society organizations can be used to disseminate de-radicalization information and convince the community that no grievance can justify terrorism. Furthermore, non-governmental organizations can mobilize some resources from other stakeholders and partners to address the development needs of communities where radicalization is being carried out, hence preventing violent extremism.

⁷ Kenya, Republic of Kenya. *The Prevention of Terrorism (Amendment) Bill, 2018. Senate Bills*. Nairobi: Government Printer. (2018)

⁸ Holmer, G. *Countering Violent Extremism: A Peacebuilding Perspective, Special Report 336*. Washington D. C.: United States Institute of Peace (USIP). (2013)pp14

In Afghanistan, religious arguments by civil society organizations have been used in sensitizing women about religious teachings that are used selectively to breed and nurture hatred among the people. This is done by critiquing the falsehoods and contradictions of violent extremists and by making different available accounts that can reverberate with ordinary people. Women, due to their crucial and strategic places in society, are better located to contribute to opposing radicalization at all stages. Their domestic proximity to the young children, as well as their value dissemination to the family, puts them in an advantageous position to provide passionate support that will shield them from the radicalization wave.⁹ However, it should be noted that some women and civil society are also agents of radicalization that ultimately end up in violent extremism.¹⁰ “In India, Tajikistan, Pakistan, and Nigeria, mothers are strategically placed to serve as a safeguard between radical influences and those targeted next, and that they are the starting point for resiliency in their children’s early years.”¹¹ Women are naturally temperate; they do not want their children to join radical gangs, so they must ensure that their children do not join such groups.

“The U.S.U.S. National Action Plan is explicit about bringing women, peace, and security agenda to Preventing and Countering Violent Extremism, programs that directly address women’s role in violent extremism.”¹² The Kenya Community Support Centre (ECOSOC) in Kenya and the Uganda Muslim Youth Development Forum (U.M.Y.D.F.) in Uganda have made remarkable contributions to enhancing the capacity of youths who are hitherto vulnerable by propagating teachings and ideas to prevent violent extremism. This has been done by encouraging candid debate in a tolerant atmosphere in the community with national government agencies, grassroots officials, political leaders, and development partners by addressing complaints that ultimately bring social cohesion.

⁹Naureen Chowdhury Fink, Rafia Barakat, and Liat Shetret, “*The Roles of Women in Terrorism, Conflict, and Violent Extremism*,” *Policy Brief no. 1320* (Goshen, IN: Center on Global Counterterrorism Cooperation, (2013), www.globalcenter.org/wp-content/uploads/2013/04/NCF_RB_LS_policybrief_1320.pdf.

¹⁰Belquis Ahmadi and Sadaf Lakhani; Afghan Women and Violent Extremism Colluding, Perpetrating, or Preventing? Special Report. United states institute of peace (2016)pp 14-16

¹¹Edith Schaffler and Ulrich Kropiunigg, “Mothers Against Terror,” *Concordiam: Journal of European Security and Defense Issues* 6, no. 4 (December 2015): 18–25, www.marshallcenter.org/MCPUBLICWEB/mcdocs/files/College/F_Publications/perConcordiam/pC_V6N4_en.pdf.

¹²White House, “National Security Strategy,” February 2015, www.whitehouse.gov/sites/default/files/docs/2015_national_security_strategy.pdf.

Civil Society Organizations can also assist in empowering communities to fight exclusion.¹³ In the Zinder Region in Niger, civil society organizations lobbied for the implementation of technical training programs in all localities deemed to be hotspots as far as radicalization is concerned. The training institutions were meant to equip the youths with skills that would bring them to the formal economy as a way of fighting social relegation and exclusion. Further support for young people from training institutions through entrepreneurship development and the initiation of income-generating structures for the youth ensured their inclusion in the economy and prevented them from being attracted to extremist doctrine.

The leadership in the town council and the entire region empowered the community sufficiently with the right religious, political, and social knowledge that removed the ignorance that made people gullible to the radicalization teachings and doctrines.¹⁴ All social strata, the faith leaders and their adherents, as well as indigenous leaders, together with Niger's external supporters, should use "counter-speech" to show the risky and unfounded nature of extremist behaviour, whether political, religious, or racial.¹⁵ Therefore, civil society organizations play a critical role in dealing with the prevention of violent extremism by addressing the underlying structural factors that lead to violent extremism. However, they will need the support of other government agencies to operate at their optimum. Hence, we need to look at how civil society organizations can partner with various state organs to maximize opportunities in dealing with violent extremism.

The Nexus of Civil Society Organisations and Government Agencies in the Prevention of Violent Extremism

The relationship between government agencies and civil society organizations determines the effectiveness of counterterrorism efforts. The state should assist faith leaders by fully equipping them for their roles. The state should play its role in coordinating and facilitating the various civil society organizations in the prevention of violent extremism. This will include, among other activities, formulating policies and enacting laws that will give a local approach to dealing with radicalization and violent extremism. The state should also work together

¹³ Naureen Chowdhury Fink, Rafia Barakat, and Liat Shetret, "The Roles of Women in Terrorism, Conflict, and Violent Extremism," Policy Brief no. 1320 (Goshen, IN: Center on Global Counterterrorism Cooperation, 2013), www.globalcenter.org/wp-content/uploads/2013/04/NCF_RB_LS_policybrief_1320.pdf.

¹⁴ Keenan, J. Dead Man's Market and the boy gangs of Niger. Foreign Policy, 8 March (2016). Pp4 Available from <http://foreignpolicy.com/2016/03/08/dead-mansmarket-and-the-boy-gangs-of-niger>

¹⁵ *Youth violence and the Challenges of Violent Extremism in Zinder* IOM (2018) p18

with other stakeholders to tackle deprivation, taking into consideration the unique demands of various geographical settings. There are limits to what the government can do and should try to do in this area. The strategy to curtail people from joining violent extremists depends upon the support from communities, hence the need for partnerships. For instance, the government can incorporate into the school curriculum prevention of violent extremism, which will be supplemented by civil society organizations in civic education programs.

In some cases, cooperation has been icy, as in Afghanistan, Kenya, and India, where civil society organizations were afraid of cooperating with the government for fear of being labelled as suspects, and many “Muslim charities or international non-governmental organizations [N.G.O.s] operating in the Middle East or other conflict areas were deregistered.”¹⁶ This conflictual relationship works against developing an efficient and effective joint strategy in the prevention of violent extremism. An effective strategy needs synergy. In most cases, civil society resists control by the government that is keen on putting measures to regulate them. It should be noted that the government, through the resources it has, is good at countering violent extremism, while civil society has immense strength in the prevention of the same.

The governments need to upscale the gathering of intelligence information through the police-community relations strategy. This should involve the use of people in localities that are highly prone to radicalization as agents and transcribers of forms of communication-related to terror. Such an approach can be enhanced by government policing agencies improving their working relationships with the general population.¹⁷ Consequently, the prevention of violent extremism strategy can only succeed when there is a symbiotic relationship between civil society organizations and the government.

The Impact of Civil Society Organisations on the Prevention of Violent Extremism

Civil society organizations have made significant strides in the prevention of violent extremism. Kenya Community Support Centre (ECOSOC) has worked with communities in Mombasa, Kilifi, and Tana River Counties in the prevention of violent extremism. In one of its programs, dubbed “Women

¹⁶ Howell, J & Lind, *Exposing the impact of counter terrorism on civil societies and aid.* London: London School of Economics (LSE) (2016). Pp2-3

¹⁷ Ondieki, J. *Two major ways to combat terrorism in Kenya.* 2019 Available Online at: <https://www.standardmedia.co.ke/ureport/article/2001310007/twomajor-ways-to-combat-terrorism-in-kenya>[Accessed on 14 August,2021]p12

Against Violent Extremism,” which has provided “solidarity for women whose children have been radicalized and recruited to violent extremist groups, The networks also give women the ability to challenge the philosophy that encourages violence, such as by watching the actions of “guests” invited to residences under the guise of religious conviction, when in reality they are on criminal missions.”¹⁸ The song “Kataa Kutumiwa,” denoting “refuse to be used,” provides a forum for the youths to converse with older members of society, faith leaders, and public officers on matters concerning religious doctrines and ideology, as well as narratives and storylines used by agents of radicalization to glorify the use of violence. The activity endows youths with the knowledge to counter extremist arguments advanced by recruiting agents and contest their perspectives and thoughts of victimhood.

The program has imparted patriotism and leadership to the youths through civic education, mainly on the constitution and the law. The trust and confidence developed have laid open more avenues for dialogue between public officers and the youth. This has led to candid discussions between youths and their elders, religious leaders, law enforcers, and scholars on topics like marginalization, arbitrary arrests, and unemployment. This liaison with government officers has cultivated trust and enhanced the sharing of information that is critical in combating violent extremism.¹⁹ When a soft approach to the prevention of violent extremism is required, civil society organizations are the first port of call. However, their efforts have not been without challenges.

The Challenges Facing Civil Society Organisations in the Prevention of Violent Extremism

Civil society organizations rely on funding from donor agencies since they do not have the capacity to raise funds from their activities that are non-profit in nature. This affects their implementation of programs in terms of scope and time. Some donors are not consistent as they sometimes change their priorities, thus affecting the continuity and sustainability of the prevention of violent extremist programs. This challenge is compounded when violent extremist agents have access to immense financial and technological resources at their disposal that can readily be used to employ and sustain the group’s recruitment efforts. The government is normally not keen on funding C.S.O.s due to budgetary constraints. The government’s approach to conducting arbitrary raids and profiling of communities when scrutinizing violent

¹⁸ Ibid p12

¹⁹ Kimari, B *Strengthening Data for Countering Violent Extremism in Kenya. Policy Brief No. 11.* August 2018. Centre for Human Rights and Policy Studies. (2018). Pp22-23.

extremists makes the community feel like it is being unfairly targeted by police harassment. Such incidents and feelings feed the prospects for further radicalization, creating a spiral effect that can make civil society organizations' involvement less effective.

Some states lack a national harmonized coordination structure and a policy agenda for dealing with violent extremism. This makes the countries lack unified approaches that could use soft and hard security measures that facilitate the work of non-state actors. Some government agencies work in competition instead of complementing each other. This makes C.S.O.s work hard as they do not know which agency to work with without offending the other. Kenya, for instance, established an inter-ministerial task force to check firms and organizations believed to fund terror acts. The task force was set up to identify and shut down agencies that were funding terrorist activities.²⁰ The government also enacted the N.G.O. Act of 1990 and deregistered several N.G.O.s, which were seen or perceived to be facilitating violent extremist ideas. This crackdown saw many civil society organizations banned from operating.

Recommendations

Funding will have a significant part to play in facilitating an integrated approach across the prevention agenda. To achieve greater impact, funding should be based on the needs identified in the risk and resilience analysis and enable collaboration to avoid duplication and prioritize the most needed areas. Therefore, the government needs to facilitate both soft and hard approaches to the prevention of violent extremism. This will make civil society not wholly dependent on other governments for funding.

A national coordination centre needs to be established to bring together all stakeholders and coordinate their prevention of violent extremism strategies. This will create synergy through a unified communication system. Furthermore, it will effectively apply resources by avoiding competition and duplication.

Policies and laws should be put in place to streamline civil society organizations by facilitating their work rather than frustrating their contribution to the war against radicalization and violent extremism. The organizations should also abide by the set regulations and rules for harmonious operation. Consequently, African governments have come up with legislation, so there is a need to enhance law enforcement and tighter border security to ensure they reduce terrorist activities in their different countries. This could give ample

²⁰ 4 Peter Kagwanja, "Counter-terrorism in the Horn of Africa: New Security Frontiers, Old Strategies," Institute for Security Studies, African Security Review (2006).

space for civil society organizations to operate smoothly.

The governance structures in Africa need to be strengthened. The existence of fragile states with weak governance infrastructures, such as the Central African Republic, poses a significant threat to international peace and security. Such countries are a haven for drug trafficking, smuggling of weapons, and illegal trade. Weak and failing states are a breeding ground not only for organized crime but also for terrorism. Terrorists take advantage of the general weakness of various governments across Africa and high levels of corruption as compared to countries that have better intelligence and effective security.²¹

According to Remo, the Horn of Africa is filled with warring and corrupt states that create fertile ground for terrorists.²² The United States put intense scrutiny on such countries as they formed a strategic focal point after the 9/11 attack. Sudan was regarded as a safe haven for extremist groups in the early 1990s, and the government was accused of actively supporting the activities of such groups.²³

Conclusion

Violent extremism is still a danger to the national security of many countries as it destabilizes the normal functioning of the state. Civil society organizations play a critical role in not only preventing but also countering violent extremism within states. However, no single approach will sufficiently address the issues surrounding radicalization and violent extremism. Therefore, an integrated approach of both soft and hard approaches will suffice. Both government agencies and civil society organizations have to work to this end.

²¹Peter Gatuiku, "Countering Terrorism in the Horn of Africa: A Case Study of Kenya," (Masters Project, University of Nairobi). (Accessed on 21 August 2021)

²²Elisha Ratemo, "Counterterrorism in Africa: Countering Radicalisation in Kenya," (Masters Project, University of Nairobi, 2013). (Accessed on 17 August 2021).

²³Elisha Ratemo, "Counterterrorism in Africa: Countering Radicalisation in Kenya," (Masters Project, University of Nairobi, 2013). (Accessed on 17 August 2021)

IMPACT OF POVERTY ON INSECURITY IN AFRICA: A CASE STUDY OF KENYA

Mr. Stephen Kathuli - National Police Service

Abstract

This article discusses the impact of poverty on security in Africa, a case study of Kenya. The study is premised on two questions: the relationship between poverty and insecurity in Kenya and the impact poverty poses on national security in Kenya. The article is anchored on the theory of structural Violence. Violence to examine such a relationship and its impact on national security. The paper establishes that the majority of Kenyan citizens live below the poverty line, a sign of scarce resources and a rapidly growing population that increases unemployment, leading to amplified conflicts and insecurity. It proposes that the government needs to develop workable strategies for employment creation and income-generating processes that address poverty levels.

Keywords: *poverty, insecurity.*

Introduction

Poverty has a significant impact on insecurity in Africa and Kenya in particular. Poverty can be absolute or relative, with abject poverty referring to a relative paucity of the necessities required to sustain a reasonable level of physical well-being that is customarily approximated in kcal and relative poverty referring to the broad sense of living conditions in various societies based on cultural acuity and variability within both organisations over time. Crime and violent conflicts have been on the rise in Kenya as a result of wealth inequality, rising young unemployed youths, population pressure on natural resources, which causes environmental degradation and societal dissatisfaction, and fragmentation, which causes social unrest in the country. This is well explained by the theory of structural Violence. Violence, which was coined by Johan Galtung in 1969 in his journal "Violence, Peace and Peace Research." This theory was conceived in order to understand the Violence built-in structures, institutions, ideologies, and histories of societies. Structural Violence may be developed as the infliction of psychological harm and social deprivation through socio-economic and political systems.¹ The theory guides the study since poverty

¹Galtung J, "Violence, Peace, and Peace Research," (Journal of Peace Research, Vol. 6, No. 3., 1969)

drives people to devise survival strategies for their desired necessities.

Poverty in Kenya

According to statistics from 2016, 35.5 per cent of Kenya's population lives in poverty.² This effectively means that more than a third of the population of the United States lives on less than \$1.90 per day. Most of Kenya is rural terrain, which contributes to the country's high poverty rate. More than 60% of Kenyans live in poverty (earning less than \$1.00 per day or unable to purchase food that provides a daily intake of 2,100 kilocalories). These individuals have little possessions or none at all, and cultivating tiny plots of land is insufficient to make a living. Current research emphasizes the GoK's awareness of the interdependence between economic progress, poverty, and the environment. Kenya has a total land area of 582,650 km², with approximately 80% of it being dry or semi-arid. Agricultural land accounts for just over 20% of the total land area. Presently, the nation's population is over 33 million people, with 75 to 80 per cent of them in rural regions in high and moderate agricultural lands in the nation's central and western areas.³

The desert areas, which occupy 60 per cent of the nation, are inhabited by 1 million semi-nomadic and nomadic people, or approximately 5 per cent of the nation's population, almost all of whom are destitute. The population density varies from 230 people per square kilometre in potentially high regions to three people per square kilometre in arid regions. Only approximately 20 per cent of the land area is high-potential agricultural land, which sustains 80 per cent of the people. Furthermore, Kenya has a significant dependency load, with more than half of the population under the age of 15. In 1992, 44.7 per cent of the population was assessed to be living in absolute poverty, followed by 52 per cent in 1997 and 56 per cent in 2002. According to estimates, the poor account for 49 per cent of the urban population and 53 per cent of the rural population. At the moment, significant indicators of poverty can be found in a variety of segments, such as low coverage of water supply services; a significant decline in child malnutrition and healthcare service delivery; mounting demands on environmental goods and services, particularly forest resources; and an increase in the number of people receiving less than the minimum level of dietary energy consumption.⁴

² Kenya Economic Report 2020. Creating an Enabling Environment for Inclusive Growth in Kenya

³ Ruggeri C. Saith R. L. and Stewart F., Does it matter that we don't agree on the definition of poverty? A comparison of four approaches Working Paper Number, (2003)

⁴ USAID, 'Ending Extreme Poverty in Fragile Contexts', Getting to Zero: (A USAID discussion series, 2014)

Poverty, inequality, and insecurity in Africa.

The idea that poverty promotes insecurity has been a source of debate among academics. Some academics feel that poverty and insecurity are inextricably linked. Others, on the other hand, claim that other causes are to blame for “insecurity.” Inequality and persistent poverty generate conflict, bad emotions, and insecurity. However, a huge number of sceptics and academics have worked hard to disprove the theory that poverty has a direct impact on global instability. However, the proponents who say that poverty has no link to war believe that ethnicity, political instability, and resource control are major sources of insecurity.⁵

Significant disparities in investment allocation, education, planning and policy implementation, insufficient health facilities, and human rights violations such as economic empowerment, the right to protection, security, children’s rights, and the right to life are all factors that contribute to poverty. Stress increases the poor’s wrath and frustration, which is subsequently exploited by ViolenceViolence, which promotes war-bent demagoguery.⁶

According to the theory of structural ViolenceViolence, societal conditions of profound propagation and abject poverty are primarily deprivations afflicted by a huge portion of certain important necessities for nourishment, such as steady income that can provide shelter, clothing, food, and education; health facilities; equal chances for production employment, which leads to societal stress. The scarcity of fundamental requirements amongst people promotes social stratification, cohesion, and collective identity strengthening, resulting in violent collective action that takes various forms, ranging from crime, war, terrorist acts, uprisings, civic insurgent groups, and political repressions, to its most extreme manifestations.⁷

There have been no earning ventures such as industries or plantations (cash crops) to absorb the youth and working people in the area, resulting in high unemployment and criminality. In 1991, the United Nations crime prevention journal stated that crime had raced far beyond the international community’s existing grasp. Criminality is a particularly significant obstacle to peaceful development. It dissipates or deflects the benefits of economic progress and lowers the standard of living; criminality jeopardizes our security, well-being,

⁵ Turner, S.; Cilliers, J. and Hughes, B, ‘Reducing Poverty in Africa: Realistic targets for the Post-2015 MDGs and Agenda 2063’, (ISS, African Futures Paper, 2014) No. 10.

⁶ African Development Bank, Addressing Fragility and Building Resilience in Africa: The African Development Bank Group Strategy 2014- 2019, (AfDB: Tunis, 2014)

⁷ African Development Bank, African Development Report 2008/009: Conflict Resolution, Peace and Reconstruction in Africa, AfDB: (Tunis and Oxford University Press, 2009)

and moral fortitude.⁸

Poverty and insecurity in Kenya

Kenya, as a developing country, has a majority of its citizens living in poverty. 80% of Kenya's land is arid and semi-arid, with a population of over one million. As stated earlier, over 35% of the Kenyan population lives below the poverty line. This means that resources are rare, and with the growing population, the competition for the few resources becomes a source of conflict, hence insecurity.⁹

In terms of insecurity in Kenya, there are two major causes of insecurity: external and internal. The external threat is extremism, which is frequently disguised as Islamic Jihad (holy war). The Al-Shabaab militant group, which originated and operated in Somalia, is currently the major purveyor of this type of terrorism in Kenya. They are increasingly employing a tactic of intermittent guerilla strikes to exterminate non-Muslims while sparing Muslims. Inability to recite Quranic verses designated their victims for certain extermination in both the Westgate siege of September 2013 and the Mandera killings of November 2014.¹⁰

The purported rationale for Al Shabaab's assaults in Kenya is supposed revenge for Kenya's involvement in Somalia, which is currently under the auspices of the UN Amisom. Nonetheless, this tends to be much more of an excuse than a cause; Kenya occupied Somalia in 2011 in an attempt to stifle Al-Shabaab operations which were already transpiring on its territory. Internal security concerns include, first and foremost, widespread thefts and robberies that target people and that many Kenyans now accept as a regular consequence of citizenship. The second form of internal insecurity is geared against specific demographics and is known by a variety of names, including inter-ethnic conflict, livestock theft, border disputes, inter-clan rivalry, and even insurrection. These violent events have now taken on a more sinister tone, as the fighters no longer tolerate intervention from the government surveillance apparatus in their operations.¹¹

⁸ Crosswell, M, 'Poverty and Fragile States – Is Addressing Fragility a Prerequisite for Poverty Reduction in Fragile States?', draft, (USAID: Washington, DC, 2014)

⁹ Brainard, Lael, and Derek Chollet, eds. *Too poor for peace? global poverty, conflict, and security in the 21st century*. Brookings Institution Press, 2007.

¹⁰ Ind, J., Mutahi, P., & Oosterom, M. (2015). Tangled ties: Al-Shabaab and political volatility in Kenya (IDS Evidence Report N. 130, Addressing and Mitigating Violence). (Brighton: IDS, 2015)

[http://opendocs.ids.ac.uk/opendocs/bitstream/handle/123456789/6018/ER130_Tangled Ties Al-Shabaab and Political Volatility in Kenya .pdf? sequence=5](http://opendocs.ids.ac.uk/opendocs/bitstream/handle/123456789/6018/ER130_Tangled%20Ties%20Al-Shabaab%20and%20Political%20Volatility%20in%20Kenya.pdf?sequence=5)

¹¹ Collier et.al., *'Greed and Grievance in Civil War.'* (Oxford Economic Papers. 2004)

Poverty and hardship, as per Waldmann, were disregarded as causes of Western-focused violent extremism. There is, however, a link between poverty and civil conflict and, therefore, certain broader-based types of terrorist acts. Poverty cannot be isolated as a cause of terrorist acts since it may be a secondary consequence of another factor. The link between poverty and deprivation and terrorist acts, and religious fundamentalism has been widely studied, with curiously varied results. Terrorist activity research, as distinguished from wider criminal gangs, agrees to some extent. Unequivocally, terrorists are neither impoverished, destitute, or even moderately destitute. “Investigations at the individual level of analysis have failed to identify the said strong correlation for both education and poverty, as well as the proclivity to actively engage in violent extremism,” writes Krueger and Laitin (2016). If anything, many who play a role in terrorist acts typically come from the ranks of the better off within societal structure. “

Poverty is a scourge that affects Sub-Saharan Africa disproportionately. It is a broad and complicated subject with ramifications in many sectors, including climate change and sustainable development. The relationship between poverty and extremist Violence is clear, and it implies that if we wish to confront extremism, we must also address inequality. According to the findings of the study that looked at former or current voluntary recruits to extremist organizations, including Al Shabaab, Boko Haram, and Ansar Dine, Poverty, a paucity of work, healthcare, education, security, and housing were all cited as reasons for joining extreme organizations, with relatively few expressing religious beliefs.¹²

According to the analysis, the county government system, on the other hand, has cultivated privileged enclaves where employment prospects are still reliant on patronage, and growth seldom reaches the poor. In Kenya, like in many other nations, the locations identified as hotspots for radicalization and violent extremism are associated with extreme poverty, high levels of illiteracy, and underinvestment in essential services.

For many years, the majority of people in these areas thought they were excluded from the national development agenda. Research by Anneli emphasizes that a focus on security-led responses to extremism cannot give long-term answers but that tackling the issues of radicalism and terrorist threats, particularly in Mombasa, necessitates work on a variety of social, cultural, economic, and political fronts. Recruiters for Al-Shabaab and other

¹² Kenei, S., The needs of Kenyans by county: exploring the latest poverty data. Development initiatives (2018). Retrieved from <http://devinit.org/post/the-needs-of-kenyans-bycounty-exploring-the-latest-poverty-data/>

extremist organizations target disenchanted individuals and groups, especially youngsters, who are dissatisfied with Kenya's ruling oligarchical and corrupt government. As a result, civil society organizations, in collaboration with other stakeholders such as traditional elders and religious leaders, should play an active role in improving the monitoring of new developments that contribute to the region's marginalization.

Crime and Violence are other impacts of poverty. Violence kills 1.5 million people annually and is the top major cause of death for people aged 15-44 worldwide. According to the 2008 'Global Burden of Armed Violence Report,' deaths and injuries in non-conflict or non-war settings far outnumber those in conflict or war settings, and East Africa's non-conflict murder rates are the fifth highest in the world based on available national statistics. Crime and Violence stifle economic growth and development, as well as social cohesion, governance, and state stability. Furthermore, aggression fosters more aggression; victimization and systematic abuse are connected; and the distinctions between various forms of Violence, from household to collective political Violence, are muddled. As a result, crime and Violence are increasingly being regarded as important development issues across the world. In Kenya, the recent economic downturn and a constantly growing population have contributed to high levels of poverty and inequality, fueling crime. This is mostly concentrated in Nairobi and other metropolitan regions, although it also affects rural areas. The 2007-2008 post-election violence can be ascribed in part to social, political, and economic factors. Kenyan youths comprise around one-third of the country's population. Approximately half are jobless, and a lack of opportunity contributes to increasing anti-social behaviours such as crime, Violence, drunkenness, prostitution, drug trafficking, and abuse, as well as incidents of depression and suicide.^{13]}

Remarkably, more than half of the jail population is between the ages of 16 and 25. Fear, limited mobility, lower school attendance, economic loss, erosion of trust, and a general reduction in quality of life are the results of worsening local security. Panic has caused Kenyans in some regions to embrace informal security organizations, resulting in obedience and devotion to the aforementioned groups. In recent decades, the number of informal vigilante organizations has increased, and new types of gangster activity have been observed, such as that exemplified by the neo-traditionalist Mungiki cult, which is marked by extortion, killings, and beheadings. Mob justice, which is becoming more frequent in Kenya, is related to this, and most Kenyans have

¹³ AfDB., Growth, Poverty and Inequality Nexus: Overcoming Barriers to Sustainable Development. African Development Report (2015)

observed incidents of stoning or burning people for minor stealing. This is a sign of the general public's loss of faith in the police and legal systems.¹⁴

Poverty as a threat to human security in Kenya

The “chronic poor” have the greatest impact on an individual's security. To minimize these people's susceptibility, it's important to either prevent or mitigate hazards or improve their risk-absorption capability. Second, human security emphasizes people's and communities' uniqueness. This idea highlights the specific characteristics of “fear and want” in words.

Political instability, financial fragility, and a lack of government capability or desire to deliver basic services and safeguard people's safety and security pose major threats to human security. This is especially true in states where sovereignty over their borders has been lost. Human security can be jeopardized even in politically and economically stable countries when domestic institutions are unable to adequately respond to internal or external shocks such as natural catastrophes, infectious illnesses, and social conflicts.

In Kenya, insecurity and instability hinder diverse populations' and people's capacity to exert their civil liberties and figure out ways of mitigating their poverty, according to human security. Poverty, unemployment, and complex historical discrimination and suffering, as well as cluster discrimination, have all driven youth to possess guns and dangerous weapons, notably amongst Kenyan Somalis and Muslim communities.¹⁵

The struggle for resources, livestock raiding, and the abundance of guns have produced extreme tensions, culminating in clashes between herdsmen and farmers. Thousands of people have been relocated around the nation due to the deadly Violence. 25% of the cases occur in Turkana. As per financial and holistic indicators, regions with large proportions of displaced inhabitants are also very poor.

Disruptions were recorded by a large number of families. Robbery and other disruptions caused by conflicts were common among Islamists and minority religions, with large regional variations (people like Hindus and those who have no faith). When faced with adversity, low-income rural females were the most likely to indulge in the selling of assets during a crisis.¹⁶

¹⁴ Ombaka, D.M., Explaining Kenya's insecurity: The weak state, corruption, banditry and terrorism. (International Journal of Liberal Arts and Social Science, 2015), 11-26

¹⁵ National Crime Research Centre (NCRC)., National crime mapping study: Public perceptions of crime patterns and trends in Kenya (2016). Retrieved from <http://crimeresearch.go.ke/wp->

¹⁶ Human Security: Genesis, Debates, Trends, available at www.css.ethz.ch/publications/pdfs/ICSS-Analysis-90-EN.pdf (accesses 29/08/2021)

Conclusion

The article has established that poverty in Kenya, especially in the Kenyan slums, has led to increased insecurity within the urban areas. High levels of unemployment amongst the youth and rural-urban migration have also contributed to the rising insecurity in Kenya. The youths have been left idle, hence involving themselves in crimes and leaving them vulnerable to being recruited by terrorist cells. Since independence, Kenya's government has prioritized the battle against illnesses, illiteracy, and poverty as part of its development strategy. To date, a number of development plans, poverty reduction strategy papers, participatory poverty assessment reports, the National Poverty Eradication Plan, the Economic Recovery Strategy, and Vision 2030 policies have defined poverty-fighting strategies. Despite these measures, poverty continues to rise.

Part 3

Society Management

HARNESSING DIASPORA POTENTIAL: KENYANS IN AMERICA

Mr. Carlos M Maluta – Directorate of Immigration Services

Abstract

Kenya benefits directly or indirectly from various forms of capital gain generated by the Diaspora. Foreign remittances have surpassed other exports to become the fourth-largest source of foreign currency in Kenya. Numerous Kenyans in the Diaspora develop skills and experience in various fields, ranging from medicine to engineering to technology. As this paper argues, Kenya should leverage its Diaspora's financial resources and abilities. Kenya must strengthen its governance and create safe migration and investment pathways to maximize the benefits.

Keywords: *Diaspora, emigration, remittances, immigration, laws, policies, safe, regular, and orderly migration, human rights, governance, intellectual capital*

Introduction

According to the International Organization for Migration, “Diaspora members of ethnic and national communities have left but maintain links with their homelands.” Emigration is the movement of people to settle/reside permanently or as naturalized citizens in a country where they are not natives or citizens. Immigrants can also work as immigrant workers or foreign workers.¹ The Kenyan Diaspora consists of persons of Kenya origin and non-resident Kenyans residing outside the country.² The top countries for Kenyan immigrants are the U.K., USA, Tanzania, Uganda, Canada, South Africa, Australia, Germany, and the Middle East. Kenyans have moved to these countries as businessmen, students, domestic workers, professionals, homeless abroad, illegal immigrants, second or third-generation Diaspora, the Diaspora of renounced citizenship, and Diaspora with dual citizenship.³

According to the World Migration Report 2022, in 2020, the most

¹Jones, Maldwyn Allen. *American immigration*. University of Chicago Press, 1992.

²“Kenya Diaspora Policy-To Empower Kenyans Abroad Effectively.” 2020. Diaspora Messenger News Media. April 18, 2020. <https://diasporamessenger.com/2020/04/kenya-diaspora-policy-to-empower-kenyans-abroad-effectively/>.

³IOM. *Harnessing the Development Potential of Kenyans living in the United Kingdom*. IOM Geneva, 2010.

significant Kenyan Diaspora resided in the United States (nearly 157,000) and the United Kingdom (around 139,000).⁴ In 2014, the Kenyan Diaspora in the United States was over 80,000 immigrants. The Kenyan immigrants are widely distributed across the United States, living in Texas and California. Those in the metropolitan live in Dallas, Minneapolis, New York, Atlanta, Seattle, Boston, and Washington. Minneapolis has many immigrants from East Africa, while many immigrants are of Kenya origin and the Somali community.⁵

The emigration of Kenyans abroad is a recent phenomenon that has assumed considerable proportions over the last two decades. The shift in the migration patterns is due to living costs and other factors. The most important reason is the deterioration of Kenya's economy with low economic and employment growth and negative per capita income growth. Millions of Kenyans, including those with higher education and technical skills, suffer due to declining living standards because they can not get remunerative employment opportunities. Corruption, political repression increased insecurity has also triggered increased immigration. Kenyans have been seeking options in jobs, businesses, and education abroad.⁶

The Kenya Diaspora policy (2014) provides strategies to include diaspora communities in Kenya's development agenda. In partnership with relevant stakeholders, the government has implemented policy strategies and programs to realize vision 2030.⁷ The policy addresses the need to create an enabling environment to solve the challenges involved, such as improving consular services to deal with diaspora issues, curbing the high cost of remittances, using Kenyan diaspora to promote the country as a tourism destination, tapping into their skills and talents and creating a portal to collect diaspora data.⁸

Migration to another country is a hard decision since many factors to consider. Distance would discourage someone from migrating because they are unfamiliar with the foreign country and might have challenges with assimilation. Ravenstein's distance-decay theory states that the nearer the destination, the lesser the emotional costs and the more likely immigration will occur.⁹ In his model, Ravenstein discussed migration phenomena revolving around migration streams. To him, more people moving around equals more even population distribution. Each migration stream, however, has a counter-

⁴ McAuliffe, M. and A. Triandafyllidou (eds.), 2021. World Migration Report 2022. International Organization for Migration (IOM), Geneva.

⁵ Migration Policy Institute. The Kenyan Diaspora in the United States. February 2014.

⁶ Adepoju, Aderanti. "Reflections on international migration and development in sub-Saharan Africa." *African Population Studies* 25, no. 2 (2011).

⁷ GoK. Kenya Vision 2030 (popular Version). Gok 2007.

⁸ GoK. Kenya Diaspora Policy. 2014.

⁹ Ravenstein. Laws of Migration. 1885.

migration stream. The model is built using statements that predict the future. There must be a compelling reason for one to relocate. It is more likely that most of those migrating to America are from the neighborhood than those from far countries, which form the minority in America. For instance, there are more Mexicans in America, the next-door neighbor, than Kenyans, miles away. To facilitate migration, the disadvantages of migration must be outweighed by factors that motivate the migrant to leave his current address or draw him toward the new location. Push factors can include religious or political persecution, a scarcity of economic opportunities, or adverse environmental conditions.

Additionally, pull factors may include increased freedom, job availability, and opportunities. Intervening obstacles contribute to an immigrant's perception of distance. For instance, restrictive immigration policies, negative societal attitudes toward immigrants, and hazardous travel conditions all contributed to the perceived friction of distance.

Migrating to a new country may be discouraged by cultural and lifestyle differences. Immigrants are less likely to settle in countries where they find it challenging to establish ties with the local population. Cultural and institutional stumbling blocks also hamper migration. Even though workers are technically allowed to move, they face numerous obstacles that make it difficult. Migration may be hindered by cultural and linguistic differences, housing transaction costs, and the inability to transfer pension rights between countries.

Factors Influence Migration of Kenyans to Diaspora

Various factors influence the migration of Kenyans to the Diaspora. The United States is a better option for immigrants than their home countries' institutions because it provides them greater security in their economic, political, and personal lives. For these immigrants, starting businesses, providing for their families, and achieving financial stability are reasons to migrate.¹⁰ Firstly, there are better opportunities to find work and education in America. People looking to fulfill their dreams are looking forward to getting to the United States of America.¹¹ America has the most vibrant economy globally, and despite the economic slump and COVID 19 challenges, the economy is recovering, and job opportunities are jumping back to normal. Secondly, Kenyans migrate to America to access better-living conditions in America. The U.S. has the best

¹⁰ Krol, Robert. 2021. "U.S. Economic Freedom Attracts Immigrants Who Support US Institutions." Discourse. May 26, 2021. <https://www.discoursemagazine.com/ideas/2021/05/26/u-s-economic-freedom-attracts-immigrants-who-support-u-s-institutions/>.

¹¹ IOM. Migration in Kenya: A country Profile 2015. 2015.

quality education, entertainment, nightlife, technology, better healthcare, government welfare programs, and the economy provides career opportunities for skilled and talented professionals. Most people from developing countries do not have the luxury of these material things and would want to live in America to enjoy such.

Another reason for migrating to America is family reunification, and immediate family members such as spouses and children travel to join the person requesting the reunification.¹² The majority of these are men, and their wives have to stay in their home countries as they wait for their American husbands to prepare for their immigration to the United States. Many parts of the world have become chaotic, and there is no peace. People living in such countries would like to run away from their troubled countries and access peace and better conditions.¹³ The preferred destination for such people is still America. America has become a promised land for people from war-torn countries every year. Such people end up getting permanent residency or citizenship in America.

Education is very vital to Human Development. America has one of the best education institutions globally, which is a dream of every ambitious person who would like to get their degrees from America's top universities and colleges. Those applying for a student visa may go back to their home countries or stay in the U.S. to start a family.¹⁴ In most cases, African migrants legally come to the United States. They often come to the United States to study, visit family, work for a short time, or get a diversity visa. In the past, people who could not obtain a permit and so moved illegally took well-known routes to Europe instead of setting up new transatlantic routes.¹⁵ There are four fundamental principles guiding American immigration law: admitting immigrants with valuable skills, reuniting families, and protecting refugees. Promoting cultural diversity is also essential.

¹² Kandel, William A. n.d. "U.S. Family-Based Immigration Policy." Fas.Org. Accessed August 30, 2021. <https://sgp.fas.org/crs/homesec/R43145.pdf>.

¹³ Handlin, Oscar. *The uprooted: The epic story of the great migrations that made the American people*. University of Pennsylvania Press, 2002

¹⁴ Ali Golchin. The Most Common Reasons Why People Immigrate to US. May 2015.

¹⁵ Yates, Caitlyn, and Jessica Bolter. 2021. "African Migration through the Americas Drivers, Routes, and Policy Responses." https://reliefweb.int/sites/reliefweb.int/files/resources/mpi-african-migration-americas-eng_final.pdf.

Known as the Immigration and Nationality Act (INA), this legislation governs immigration policy in the United States (INA). Each year, the United States can issue 675,000 permanent immigrant visas under the INA.¹⁶

Safe, Regular, and Orderly Migration

Because of their age, gender identity, race, disability, or state of health, migrants may find themselves in precarious situations after leaving their countries of origin. They may also be vulnerable once they arrive because of the conditions they face upon arrival. Certain groups of migrants, including those fleeing conflicts and violence, those who have been dislocated from their communities and family support structures, and those who travel or work through unregulated channels, are particularly vulnerable.¹⁷ International human rights instruments, such as those relating to fundamental rights at work, protect the rights of migrants. International labor standards are essentially collections of bare minimum legal provisions drafted at international conferences to guide and, in some cases, as a specific language for national legislation, policy, and practice.¹⁸ Conventions and declarations are considered international instruments, though the latter is not legally binding unless they embody customary international law.¹⁹

Commitments made to the Global Compact For Safe, Orderly, and Regular Migration are reflected in Kenyan Draft National Migration Policy. The Big Four Agenda, Kenya's Vision 2030, the Sustainable Development Goals (SDG), the Global Compact for Migration, the Migration Governance Framework, the African Union's Migration Framework, and the regional Intergovernmental Authority for Development (IGAD) migration policy framework are all used to inform a draft migration policy that takes into account the effects and challenges of migrants.²⁰

The dream of becoming an American immigrant can be shunned by a lack of knowledge of seeking help. Qualified legal representation by immigration

¹⁶ American Immigration Council. 2021. "How the United States Immigration System Works." American Immigration Council. September 14, 2021. <https://www.americanimmigrationcouncil.org/research/how-united-states-immigration-system-works>.

¹⁷ Safe Migration Pathways Key to Tackling Human Trafficking, Modern Slavery, Forced Labour." 2019. IOM.Int. July 26, 2019. <https://www.iom.int/news/safe-migration-pathways-key-tackling-human-trafficking-modern-slavery-forced-labour>.

¹⁸ "Migration, Human Rights and Governance", 2015. https://www.ohchr.org/documents/publications/migrationhr_and_governance_hr_pub_15_3_en.pdf.

¹⁹ *ibid*

²⁰ "Kenya's Draft National Migration Policy Integrates Global Compact Commitments." n.d. IOM. Int. Accessed March 8, 2022. <https://www.iom.int/news/kenyas-draft-national-migration-policy-integrates-global-compact-commitments>.

attorneys can make the process easy. Immigration attorneys advise and counsel clients on various immigration-related issues, including visa applications, green cards, employment for non-citizens, citizenship, and naturalization and deportation. Foreign nationals are expected by law to file the proper documentation in getting a visa and acquiring the residence, among other documents. This paperwork can be extensive and complicated and needs the assistance of a specialist so that one does not make errors during the application process. Their expertise in immigration law, which can change with each president, enables the attorneys to guide their clients through the ever-changing immigration process.

At times, those considering emigrating do not know the best options to choose from, and lawyers can file the best choices for their clients, making them comprehend the conditions. In cases where one faces deportation, it is essential to involve a lawyer to help. Besides supporting the legal processes of becoming an immigrant to the United States of America, a lawyer can help one get a legal job in America. Immigration lawyers can assist with everything from visa applications to green cards, citizenship and naturalization, deportation proceedings, and even job placement for individuals who are not citizens of the country to which they are applying. Being an immigrant is not enough; many want to become citizens of the United States. Lawyers can make this dream come true by enabling immigrants to follow the proper procedures without making mistakes. Lawyers have an in-depth knowledge of the process of becoming a citizen in America and can design a prudent approach for immigrant clients.

Is Immigration Profitable to Kenya's National Development?

From the Diaspora, Kenya benefits directly or indirectly from the various forms of capital gain. Financial capital is gained through remittances and investments. Kenya is a lower-middle-income country because its per capita GDP passed the World Bank threshold. Kenya's economy continues to expand amidst the widening gap between the poor and the rich.²¹ Among the reasons the economy is increasing are the remittances from Diaspora. In recent years, remittances from the Diaspora have become the fourth-largest source of foreign exchange in Kenya. Every month, the Central Bank of Kenya (CBK) conducts surveys of remittance inflows via commercial banks and other authorized international money transfer service providers. In 2020, despite the devastation of COVID 19 in America and other developed countries where

²¹ Muguna, Angela Caroline W. "South-South Migration: The Impact of Diaspora Remittance on National Development of Kenya." PhD diss., United States International University-Africa, 2018

Kenya immigrants are, the remittances rose to a high record of US\$3,094 million. A 10.7% increase from 2019. The remarkable growth of remittances has been supported by the financial innovations that provide Kenyans with convenient channels for money transactions.²² By June 2021, the cumulative flows reported for 12 months (June 2020-June 2021) totaled US\$3383 million, A 20.4% increase from the previous period. The United States of America remains the largest source of remittances to Kenya, accounting for over 50% in June 2021.²³

The other form of capital Kenya gains from the Diaspora is intellectual capital, which comes in skills and knowledge. Kenya benefits significantly from the contributions of the Diaspora in terms of knowledge, skills, and expertise. Yet, the potential of the Diaspora has not been completely realized.²⁴ Hundreds of Kenyans have benefitted from training in universities abroad. They have gained knowledge and experience in various fields such as medicine, engineering, technology, hospitality, law, and many other areas. Through self-sponsored programs and scholarships by governments from developed countries, Kenyans continue to get the opportunity to study and gain skills that they are using to create the various sectors within their country. Kenya is committed to becoming an industrialized nation by 2030 and has therefore made partnerships with Diaspora to get support in achieving the vision. For instance, the Global Partnership for Education (GPE) and the government of Kenya have developed a strong relationship since 2005, whereby GPE is supporting Kenya's plans through expertise and financing.²⁵

Social capital has been a critical concept in elucidating how migrants across national boundaries gain access to resources and participate in social, political, and economic life. Historically, migration and migrant social networks have been viewed as co-ethnic networks that provide multiple resources beneficial to individual migrants' socioeconomic well-being. Social networks can help marginalized communities in the Diaspora achieve greater social mobility and overcome disadvantages.²⁶ The trust gained and the networks created by Kenyans abroad have boosted their stay and created avenues for generating more resources. Various initiatives in Kenya are funded by the networks

²² "Press Release Announcing The Diaspora Remittances Survey." 2021. Centralbank.Go.Ke. 2021. https://www.centralbank.go.ke/uploads/press_releases/1351561291_Press%20Release--Announcement%20of%20Diaspora%20Remittances%20Survey.pdf.

²³ Victor Oluwole. Kenyans abroad sent home shs33 billion in June 2021: CBK.

²⁴ KIPPRA. Kenya Diaspora Policy 2014.

²⁵ Français. Kenya: Investing in Education for Better Future. Retrieved from <https://www.globalpartnership.org/results/stories-of-change/kenya-investing-education-better-future> on 29th August, 2021

²⁶ Janroj Keles. Diaspora, The Internet and Social Capital. Migrant Capital 2015.

created by Kenyans in the Diaspora. Among these are Charity organizations and foundations that support Kenyans the need of Kenyans such as women, children, those affected by hunger, victims of Female Genital Mutilation, Education needs, and other humanitarian needs in Kenya.

Diaspora is an essential contributor to national development and citizens of African countries. According to schedule 2063, all A.U. member states shall grant dual citizenship by 2025. Dual citizenship evokes the feeling of identity and connectedness among diaspora members engaging with the country of their origin. It also helps build trust between the Diaspora and its government of origin. It has made it easier for members to return home from abroad, work, and invest in their country of origin because they are allowed access to local bank accounts and do not require a visa to enter their home countries. Additionally, diaspora members are allowed political rights such as voting.²⁷ The constitution of Kenya promulgated in 2010 provides for its citizens living abroad the right to vote.²⁸ Kenyan politicians lobby support from the Diaspora to aid in their campaigns and implementation of their mantra.

Kenya has made diaspora engagement a vital part of its foreign and national development policies and invested in structures to facilitate diaspora engagement. Diaspora plays a significant role in Cultural and brand Ambassadors for Kenya with national development. Every Kenya embassy has a dedicated diaspora portal, and the consulate was established by the government of Kenya and included a skill matching program. Kenya has issued diaspora bonds, including M-Akiba in 2017, the world's first mobile phone-based bond.²⁹ SDG Target 17.18 calls for the availability of “high-quality, timely and reliable data disaggregated by income, gender, age, race, ethnicity, and migratory status.”³⁰ Data on migration is helpful to the countries of origin because it gives a more detailed picture of the critical characteristics of their emigrant population. In addition, improved knowledge of immigrant profiles, combined with data on the education and skill levels of individuals remaining in their home countries, provides input for estimating the extent of “brain drain” from emigration rates by skill level and occupation, country, and region of origin, and for highlighting risks by tracking the evolution of these rates over time.

²⁷ Tittel-Mosser, F. (2021) Diaspora engagement: Africa. Regional Series. EUDiF.

²⁸ GOK. The Constitution of Kenya, 2010. European Union Global Diaspora Facility. 2020.

²⁹ Tittel-Mosser, F. (2021) Diaspora engagement: Africa. Regional Series. EUDiF.

³⁰ Mosler Vidal, E., 2021. Leave No Migrant Behind: The 2030 Agenda and Data Disaggregation. International Organization for Migration (IOM), Geneva.

Conclusion

Despite the hardships in earning money, Kenyans in Diaspora have cemented their role in growing Kenya's economy. Kenya Diaspora sends money back home to support their families and invest in various sectors such as real estate, agriculture, infrastructure, and other saving development bonds. With high levels of emigration of skilled professionals from Kenya, there is a need to look at their profiles and transform migration into a positive force for continued growth in Kenya. It is evident that the Kenyan Diaspora has close ties with Kenya, as shown through remittances, investments, and continued information exchange. Many Kenyans living in the Diaspora would like to return home, but there are no opportunities and challenges in opening businesses.

REFUGEES AND SECURITY NEXUS IN MALAWI

Col Alfred L Matambo - Malawi Army

Abstract

Fear of physical attack and lack of freedom from want drive people from their homes to seek asylum and solace elsewhere. Management of asylum seekers and refugees has been a global problem though it is an international law obligation. Refugees bring with them both opportunities and threats to host nations. Malawi hosts over 51,415 refugees in Dzaleka Refugee Camp, while several other thousands left the camp and live with native neighborhood communities. The question that remains not answered is the extent to which management of the refugees affects human security in Malawi. This article investigates the refugee situation in Malawi within the conceptual framework of human security. This is done by describing the concept of human security, the causes of migration, major migration routes, legal obligations, and some human security threats during transit, settling, and managing in Malawi. The key finding in this investigation is that in the Malawian context, the threats emanating from migration outweigh the benefits.

Introduction

Malawi has enjoyed peace since independence. It is located along major migration routes from the Horn of Africa (HoA) and the Great Lakes Region (GLR) to the African economic powerhouse, the Republic of South Africa (RSA). These geopolitical aspects have resulted in the country either being refugees' destination of choice or a route to other destinations. Malawi is also an origin of prospective refugees who mostly migrate southwards. In the middle nineties, Malawi was a host to over a million refugees from the Mozambican civil war.¹ This trend has continued with refugees from the Great Lakes Region and the Horn of Africa frequenting Malawi either seeking sanctuary or in transit to RSA. This phenomenon has its security implications for the host country in one way or the other.

Causes of Prospective Refugee Migration

A refugee can be defined as an individual escaping or has escaped life-

¹ Dzimbiri, Lewis B. "Challenging Gender Stereotypes in Training: Mozambican Refugees in Malawi", 154-157.

threatening hostile situations. Refugee migration is therefore explained as all forms of human population movements or relocations as individuals or in groups across international borders to escape life-threatening situations.² It is important to note that migration is seen to be more natural due to its rich history worldwide, in Malawi as an example, known migrations started from Akafula and Amaravati in around the first century. Many of the tribes are said to have migrated from somewhere else and settled in Malawi.³ These ancient migrations cannot be compared to security implications brought by contemporary refugee migrations. Most scholars agree that a major cause of refugees' migration is violent conflicts, mostly over prolonged periods to the extent that life becomes unbearable.⁴ Such conflicts usually have exacerbated poverty, food insecurity, and safety of individuals forcing them to embark on dangerous journeys which at times result into loss of lives. Hayes et al.⁵ contend that violent conflict denies humans every aspect of human security, forcing them out of their communities to seek refuge elsewhere.

Other than conflict-induced refugees, another category of refugees is political refugees who flee political persecution while their countries might not necessarily be at war.⁶ Economic reasons can also cause individuals to leave their countries, migrating for better life opportunities. According to the United Nations procedures for handling refugees, these are economic migrants; however, Animesh et al.⁷ claim they can also be called economic refugees if they are proved to be victims of economic measures. Other minority groups flee their countries for specific reasons like gender orientation. However, it should be emphasized that these other types of refugees can be treated as isolated cases, while those emanating from violent conflicts result in uncontrollable influx. Our focus, therefore, will be on conflict-induced refugees.

Major Migration routes for Prospective Refugees

Refugees use many routes from the HoA and the GLR that find them in Malawi; one such route is what Marchand et al.⁸ called the Southern Route. The Southern Route starts from Ethiopia and Somalia passing through Kenya,

² Shacknove, Andrew E. "Who Is a Refugee?", 274-284.

³ John, Pike G. "A Pre-Colonial History Of Malawi", 22-54.

⁴ Sherrill Hayes, Brandon D. Lundy and Maia Carter Hallward. "Conflict-Induced Migration And The Refugee Crisis", 1-7.

⁵ Ibid.

⁶ Animesh, Ghoshal and Thomas M. Crowley ", 124-136.

⁷ Animesh Ghoshal and Thomas M. Crowley "Political Versus Economic Refugees", 124-136.

⁸ Marchand Katrin, Julia Reinold and Raphael Dias e Silva. "Study on Migration Routes in the East and Horn of Africa", 32.

Tanzania, Malawi, and Mozambique to RSA. These authors argue that this route is attractive because of the high likelihood of getting a job in RSA and the legal loopholes in processing asylum seekers. They further posit that the asylum process in RSA takes long, and by the time the verdict comes out, they have already got employment or doing their studies. Annual records indicate around 17,000 individuals use this route annually.⁹ According to UNHCR Fact Sheet for Malawi 2021, apart from Ethiopians and Somalis, there are also refugees from the Democratic Republic of Congo (DRC), Burundi, and Rwanda, among other nationalities hosted in Malawi.¹⁰ These, however, must have used other routes other than the Southern Route due to the location of their origin.

Concept of Human Security

During the Cold War, security was understood only in military terms. It overemphasized the state as the main actor that exercised sovereignty. At the same time, all the citizens were obliged to support the course.¹¹ This state-centric approach is arguably a product of the East-West divide. However, the state-centric security concept was misleading and gave a wrong picture of the actual threats to humanity in developing countries. Nevertheless, the superpower security narrative was perpetrated only to pursue their national interests.¹² The Cold War state-centric security definition, therefore, misled many states only to discover that they were countering threats at the end of the Cold War, not in their interest. At this time, most political leaders discovered their real threats were not military but human-centric and started to understand that peace, conflicts, and human rights are in intimate relationships requiring a rethink on the definition of security.¹³

Buzan¹⁴ contends that defining state-centric national security is wrong because security includes threats to enjoying rights. Another scholar, Newman¹⁵, argues that human security is paramount as it revolves around individuals achieving their desires and living peacefully in their communities without fear. Although several paths can be used to trace the origin of human security, the 1994 UNDP Human Development Report always stands out

⁹ Ibid.

¹⁰ UNHCR Fact Sheet for Malawi January 2021.

¹¹ Newman, Edward. "Critical human security studies", 77-94.

¹² Mwagiru, Makumi. *Human Security, Setting the Agenda for the Horn of Africa*. Nairobi: Africa Peace Forum. (2008).

¹³ Ullman, Richard H. "Redefining Security", 129-153.

¹⁴ Buzan. Barry. *People, States and Fear* (2nd Edition), 50.

¹⁵ Newman, Edward. "Critical human security studies", 77-94.

among them all, summarizing human security as freedom from fear and want. The report identifies seven thematic threat areas to human security: political, personal, environmental, food, health, economic, and community threats. Therefore, human security can be understood as a situation where citizens live without fear or any prospect of it in the hope of the next pleasurable day.

Government Legal Obligations

Malawi signed and ratified several agreements that bind the state to self-regulate the handling of refugees. On 04 November 1987, Malawi ratified the 1969 AOU Convention Governing the Specifics of Refugees Problem in Africa, while on 10 December 1989 ratified the 1951 UN Convention on the Status of Refugees with reservations on Articles 2, 7, 13, 15, 19, 22, 24, 28 and 34.¹⁶ These provisions bind the state with some responsibilities like provision of travel documents, education, settlement, the same treatment as nationalities, freedom to acquire and transfer movable and immovable properties across borders, government to provide them allowances and compensations among others.¹⁷ These reservations can be attributed to the circumstance ruling at that time as Malawi was hosting over a million Mozambican refugees. Secondly, Malawi being a low-income country, it was a tall task to assign the few available resources to fulfill the obligations stipulated in the Refugee Treaty at the expense of the natives who could not enjoy the same privileges.

Security Implications of Settling the Refugees

As of 31 August 2021, there were 51,415 registered asylum seekers and refugees in Malawi.¹⁸ Some come as illegal immigrants. Data shows that the annual growth rate of illegal immigrants is 4.5%.¹⁹ Almost all these refugees and asylum seekers are accommodated at one camp called Dzaleka Refugee, located 50 kilometers north of the capital city, Lilongwe. Ever-increasing numbers of refugees in Malawi have led to environmental scarcity and a scramble for resources. For example, the Dzaleka camp was designed and allocated land for 9,000 refugees. This land area has been expanded many folds to accommodate over 51,415 refugees with an average population growth rate

¹⁶ Human Rights Liaison Unit. "Submission by the United Nations High Commissioner for Refugees for the Office of the High Commissioner for Human Rights."

¹⁷ Human Rights Liaison Unit. "Submission by the United Nations High Commissioner for Refugees for the Office of the High Commissioner for Human Rights."

¹⁸ UNHCR. Malawi: UNHCR Fact Sheet, August 2021, 08 September 2021.

¹⁹ Nkhoma, Bryson G. "Transnational Threats: The Problem of Illegal Immigration in Northern Malawi", 36.

of 700 new refugees monthly, entailing more expansions will happen over time. The refugee population has exerted pressure on the natural environment. Recently traditional leaders raised concerns to the government that they are losing their agricultural farmlands to the refugees. This resource scarcity is a proximate cause of conflicts between refugees and the natives.

Whitaker²⁰ contends that refugee influx into an area alters the economic landscape as the demand for commodities increases. For instance, Dzaleka Refugee Camp created a large market in the district, increasing business opportunities for both the citizens and the refugees, thus enhancing their economic security. In a similar study by Callard²¹, she found out that businesses flourished in the districts bordering Malawi and Mozambique during the Mozambican civil war when Malawi played host to more than a million refugees. Another study by Harell-Bond in Sudan also found an increase in trade due to increased refugee numbers.

In terms of employment, refugees are willing to work at relatively low wages in most cases. Without social security arrangements, as compared to the natives, they are ready to take up jobs that the host community sees as dirty, dangerous, and degrading (3Ds Jobs). Additionally, employers see the refugees as hardworking and more dedicated to work, thus making them more preferred. This leaves the natives economically vulnerable, creating anxiety as they may feel their opportunities have been taken up. On the other hand, the presence of refugees invites Non-Governmental Organisations (NGOs) who offer humanitarian assistance, and they employ some individuals as their labor force, offering hefty salaries; this leads to some teachers, nurses, and other civil servants providing critical social services to abandon their jobs for better pastures. This trend precipitates reduced quality in social services, thus affecting health security, education systems, and other services. Failure to provide efficient social services results in citizens blaming their political leaders for the same, thus affecting political security. Positively, these employees become economically secure.

The UN Office on Drugs and Crime (UNDOC) recently discovered that refugee camps in Malawi are being used as transit camps for human trafficking cartels. Traffickers approach relatives of refugees that traveled to RSA in their homes of origin, conning them they are sent to take them to join their relatives.

²⁰ Whitaker, Beth Elise. "Changing opportunities: refugees and host communities in western Tanzania."

²¹ Callamard, Agnès. 1994. "Refugees and Local Hosts: A Study of the Trading Interactions between Mozambican Refugees and Malawian Villagers in the District of Mwanza.", 39-62.

They are then taken crossing to Malawi into the camps pending further transactions.²² UNDOC also found that the camp is also being used as a transit point for contrabands. The refugee situation has therefore increased the rate of crime.

Refugees are also reported to conflict with the natives as they compete for businesses in plying their small-scale trade. An unaccounted number of refugees who illegally left camps scattered all over the country are doing business. On 17 April 2021, the government gave a 14 days ultimatum for all refugees to return to their respective camps due to security reasons arguing that by staying among the natives, the refugees are becoming a potential threat to security.^[23] Although the refugees blended with the locals, there was economic competition. The citizens felt deprived of the economic opportunities as the refugees had taken many businesses, out-winning the natives. Feelings of relative deprivation may create nervousness, anger, and fear resulting in xenophobic attitudes in the minds of the citizens. Once natives feel their government is not coming to their rescue, the xenophobic perceptions may produce generalized violence against the refugees.

Conclusion

There are both positive and negative benefits to managing refugees. The balance, however, tips on the negatives requiring special measures to control and better manage the situation because completely stopping refugee migration is impossible. Effective refugee management systems help the international systems as it acts as a safety valve to save people whose lives, physical being, and liberty are threatened. It also allows receiving states to acquire already developed human resources, consequently benefitting their economies. Malawi government, therefore, strikes a balance in exploiting the benefits and cautioning human security threats stemming from implementing obligations as required by the International Law, thus gaining mileage in high-level politics.

²² Patience, Ngunde. "UNODC and Malawi launch new measures to combat human trafficking among refugees".

THE BLUE ECONOMY RESOURCES IN ADVANCING NATIONAL SECURITY INTERESTS IN AFRICA CONCERNING KENYA

Col Gatu Muhia 'psc' (K) - Kenya Navy

Abstract

The importance of water bodies, from ocean basins to tiny ponds, cannot be overemphasized. Seas and oceans have become a point of convergence in the discussion on growth and development at the global, regional, national, and local levels. It is thus worth noting the significance of oceans for the sustainable future development of the world. The resources, both living and non-living, found in the oceans are vast. If prudently harnessed would go a long way in improving the economies of coastal states while improving nutrition in Africa. The vast freshwater bodies and rivers can be used for aquaculture and irrigation, thus improving food security. Water from rivers can be harnessed to generate electricity, which can add value to products harvested from the ocean and seas and help add shelf life.

The BE prospects are undermined by a wide range of maritime security challenges such as piracy, marine pollution, Illegal, Unregulated, Unreported fishing, and over-exploitation of marine resources. The increased maritime threats disrupt the normal function of systems set up to exploit the marine resources to fully realize the BE potential of Africa.

Introduction

The importance of water bodies, from ocean basins to tiny ponds, cannot be overemphasized. Seas and oceans have become a point of convergence in the discussion on growth and development at the global, regional, national, and local levels. It is thus worth noting the significance of oceans for the sustainable future development of the world.

Bouchard and Crumplin reveal that developments in World affairs over the last twenty years have generated fresh attention to Blue Economy (BE) issues. Salient among these resulted in the shift of global economic weight and influence from the North Atlantic to Asia, including in particular China and India's subsequent rise.¹ The BE is a marine-based economic development

¹ Bouchard, C. and Crumplin, W. *Neglected no longer: the Indian Ocean at the forefront of World geopolitics and global geostrategy*. Journal of the Indian Ocean Region, Vol. 6, (2010), pp. 42-45.

that leads to improved human well-being.² Blue resources cover oceans, rivers, lakes and other forms of water bodies and water-related activities.³ However, it requires an integrated, holistic and participatory approach that includes sustainable management of BE resources for progress in Africa.⁴ The BE resource is therefore intended to move from the current approach to a multi-sectoral, integrated, and participatory approach at multiple levels.

The African Union (AU) has sought to catalyze the development of the continent's maritime trade and BE through the formulation of crucial policy management documents like the African Maritime Transport Charter; the Africa Integrated Maritime Strategy 2050 (AIM Strategy 2050); the African Union 2063 Agenda, the UN Agenda 2030 and the Policy Framework and Reform Strategy for Fisheries and Aquaculture in Africa.⁵ African states together can have a common understanding of the BE and its regional dimensions to benefit from the economic potential that healthy oceans, seas and coasts offer and from their potential to meet the needs for nutrition and security, improved livelihoods, and climate change mitigation and adaptation.

6

The Blue Economy Resource

The BE provides the great-unexploited potential for security and economic development of the Horn of Africa (HoA) sub-region. Unfortunately, this potential has not been realized due to the absence of adequate institutional mechanisms to facilitate interdepartmental collaboration or an overall coordinating body, making it difficult for institutions to work beyond their immediate mandates.⁷ The sub region's oceanic wealth is continuously being exploited by other countries that have advanced technology, capacity and have developed strategies to use the resources.

According to Cordier, more than fifty countries worldwide have made total or preliminary submissions to the United Nations (UN) to increase their maritime territory. They include Kenya, Ghana, South Africa, Mauritius, Nigeria, Togo, Benin, Somalia and Gambia. If successful, these applications

² Meredith, M. *The State of Africa. A History of Fifty Years of Independence*, Johannesburg, (2005), p.469.

³ Maluki, P. *Regionalism in the Indian Ocean: Order, Cooperation and Community*. VDM Verlag Dr. Müller Publisher, (2011), pp. 3-6.

⁴ Lutz, S. and Martin, A. *Fish Carbon: Exploring Marine Vertebrate Carbon Services*, (2014), pp. 19-12.

⁵ Christian W. 'The Indian Ocean Rim – Association for Regional Co-operation (IOR-ARC): The Futile Quest for Regionalism?', *Journal of the Indian Ocean Region* (Vol. 9, No. 1, 2013), pp. 6–16.

⁶ Ibid (Vol. 9, No. 1, 2013), pp. 6–16.

⁷ Bouchard, C. and Crumplin, W. *Neglected no longer: the Indian Ocean at the forefront of World geopolitics and global geostrategy*. *Journal of the Indian Ocean Region*, Vol. 6, (2010), pp. 42-45.

will add hundreds of thousands of km² of maritime territory to each country.⁸ In Eastern Africa, the Indian Ocean and its inland water bodies and rivers are of great importance.

Kenya has a huge potential to spur economic growth to the states of the region and beyond, yet it also has the potential to bring crises because it is a region in which instability and conflict can quickly arise from imprecise border delineations, internal conflicts, issues of energy and resource scarcity and changing national interests. Kenya's economy continues to grow at a remarkable rate, including through the exploitation of the rich endowment of land-based natural resources such as soda ash in Magadi, titanium ore and iron ore in Kwale county and commodity exports. Converting this growth into quality growth, through the generation of inclusive wealth, within environmental limits and respecting the highest social considerations requires bold new thinking. It also involves the creation of jobs.

The BE can play a significant role in Africa's economic transformation. Despite the evident benefits of the oceans and other marine resources, many challenges need to be addressed first. These challenges include lack of shared prosperity and weak inclusion in decision-making processes, maritime insecurity, unsustainable human activities around and in the oceans, lakes and rivers and lack of an inclusive consideration of ecosystem service values to support sustainable policy decisions, weak policy, regulatory and institutional frameworks. Also, poorly planned and unregulated coastal development and unsustainable extraction of minerals are also exerting additional pressure on the resilience of the aquatic resources.

Functionalism theory can explain and analyze the BE in advancing national security interests in Africa.

Kenya's National Interest within the Blue Economy

The process of development in many states is constrained by insecurity, and lack of resources; some developing and developed countries rely on imported resources to enhance their development.⁹ It can be argued that if existing resources are harnessed, Africa could advance its development agendas.¹⁰

The BE remains unexploited, mainly in East Africa. In the wake of an often-overlooked role that maritime security plays in BE is being itself a source of

⁸ Lee. C. Rethinking maritime security in the Indian Ocean region, *Journal of the Indian Ocean Region* 6(1) (2010), pp. 72-75.

⁹ Maluki, Patrick. *Combating New Piracy in the Indian Ocean.*: Lap Lambert Academic Publishing, Saarbrücken, Deutschland (2012) p. 4.

¹⁰ Rodrigue, Jean-Paul. *Ports and Maritime Trade in Barney Warf.* Encyclopedia of Human Geography, London: Sage, (2010), p. 13.

economic development and growth.¹¹ It is estimated that the ocean is worth billions of dollars, which remains primarily unharnessed due to the increased maritime security threats, such as piracy, discharging of hazardous waste in oceans, Illegal, Unreported, Unregulated fishing (IUU), and terrorism, among many others.¹²

Kenya's coastal and marine environment is endowed with rich natural resources, which are of immense economic and social value to the coast region and the nation. To harness such potential, the Kenyan government created a Presidential BE Task Force in 2017. As identified by the Task Force through stakeholder participation, BE objectives prioritize the sustainable use of ocean resources for economic growth, livelihoods and jobs, and ocean ecosystem health. The Task Force oversees interventions to achieve these objectives in fisheries and aquaculture, maritime transport, culture and tourism, environmental conservation and oil and mining.

The BE offers Kenya the opportunity to advance its national security interests as a country. As proved by a discourse made by HE President Uhuru on the first of September 2016, perceiving the considerable ability to change Kenya's economy through the extreme exploitation of the BE, prompted the issuance of Executive Order No. 1 of 2016. This has focused significant attention on addressing challenges to improving the capability of the BE in Kenya. Central to this schedule is the need to modernize Kenya's marine resources, transport and logistics services, its port and railway infrastructure, and improve its reliability and efficiency with the view to seamlessly link the sub-Saharan region economies to national, regional and global value chains as well facilitate tourism and recreation activities, to name a few. To further advance its national interest, the government of Kenya is undertaking critical infrastructure projects, including the development of the railway system for the transportation of cargo from the port to the hinterland and the ongoing development of another international seaport in Lamu County, expected to have 32 berths.

Further to this, the government has rehabilitated the Kisumu port, which is capable of shipbuilding and repairs. MV UHURU was repaired at this facility and is currently transporting petroleum products to Uganda. MV UHURU II is being built and is expected to be completed by June 2022. In Mombasa, the government is constructing a Slipway at the Kenya Navy Base Mtongwwe with the capacity for ship repair and new contractions. Despite this, the progress

¹¹ Maluki, Patrick. *Combating New Piracy in the Indian Ocean.*: Lap Lambert Academic Publishing, Saarbrücken, Deutschland (2012) p. 5.

¹² Francois, Verry. *African Maritime Security: A Time for Good Order at Sea*, Australian Journal of Maritime and Ocean Affairs 2, no. 4 (2010), pp. 121-132.

has been slow, leading to slow economic growth, lack of industrialization and unemployment.

Conclusion

Spectacular rise of piracy, terrorism and unregulated maritime exploitation along the Horn of Africa in the past has brought the topic of the role of naval security in advancing BE development in Africa. Hence the exact exploitation of the BE resources is still not clearly articulated, with many prospective discussions. The BE environment touches on tourism, trade, oil and gas, treasure, mining, and fisheries in the African context. Despite this importance, there is still increased maritime security threats, such as increased terrorism, piracy, degradation of oceans, such as pollution from people on land, overfishing and increasingly, climate changes, mainly, this is threatening incomes of persons within the region who rely on these vital ecosystems for their nourishment and job security. Kenya's waters provide significant economic opportunities. HOWEVER, the BE prospects are undermined by a wide range of maritime security challenges such as piracy, marine pollution, IUU fishing, and over-exploitation of marine resources. The increased maritime threats disrupt the normal function of systems set up to exploit the marine resources and fully realize the BE potential.

THE IMPACT OF FOREIGN AID ON ECONOMIC GROWTH IN BURUNDI

Col Nestor Nibayubahe – Burundi National Defence Forces

Abstract

Studies are bound up with a body of literature attempting to quantify the contribution of foreign aid to developing-country economic growth. Africa has benefited from foreign aid estimated at the US \$1 trillion over the past half-century, but many developing countries remain poorly developed and rely upon external assistance to survive. For decades, Burundi has enormously relied on foreign aid, both from bilateral and multilateral donors. External assistance in 2014 was estimated at 42% of Burundi's national income. Foreign aid is beneficial to economic growth. However, the results and experiences from Burundi are varied.

The pitfalls encountered in Burundi necessitate careful scrutiny of the milestones achieved by foreign aid. It is for this reason that this analysis sets out to explore the impact of foreign aid on economic growth in Burundi. In order to achieve this, the study set out to answer the following two questions: 1) What factors have contributed to Burundi's poor economic performance despite foreign aid support? And 2) What steps can be taken to improve foreign aid effectiveness? This paper employs the foreign aid theory to explore the impact of foreign aid on economic growth in Burundi. The study undertook a desk review. The findings of this study recommend that Burundi should avoid overreliance on foreign aid. Instead, the country should invest more in the mining industry, which is promising in the country, and diversify its commodities for export.

Keywords: Foreign Aid, Economic Growth, Impact, Burundi

Introduction

Burundi is bordered on the east by Tanzania, on the west by the Democratic Republic of Congo, and on the north by Rwanda. The environmental, human, and institutional settings have all influenced the country's economic progress over the last few decades. Politico-ethnic feuds and other circumstances have resulted in five deadly battles involving the two main ethnic groupings since independence in 1962. The poor economic performance by several

governments that have ruled the country since the early 1960s appears to be rooted in poor governance. Burundi's economic performance has been disastrous. Between 1960 and 1998, GDP per capita declined from 620 dollars to around 370 dollars. The purpose of this study is to identify the reasons for this disastrous performance by identifying the key characteristics of the growth process and demonstrating which and how different elements influenced it. It is important to note right away that Burundi's economic performance has been closely linked to political factors. Poor governance has strangled all forms of individual expression, stifling private initiative and placing economic activity in the hands of a state apparatus ill-equipped or unwilling to construct an effective production system.¹

Burundi's leadership has been both a cause and a consequence of the country's economic insecurity. Burundi has had six phases of civil war; two major coups that were unsuccessful; and five coups that resulted in a change of regime. This political instability has resulted in ongoing sequences of violence, resulting in the breakdown of the country's institutions and economy. Burundi's economic predicament is primarily the result of its political leaders' self-serving strategies and policies. When cronies rule the economy rather than skilled managers, when investment projects are prioritized based on their location rather than the economy's objective needs, the economic model loses its explanatory value. The incidence of violent conflicts generated by factions competing for control of the state and its resources has affected economic performance in Burundi. Since the country's independence, the capture of a small number has become the overarching goal of the governments that have ruled it. This has had far-reaching economic consequences, such as stunted growth, a weak enterprise system, an unstable investment environment, and grievous financial difficulties.²

There is no unanimity on the purpose of foreign support or economic assistance to developing countries with regard to economic growth in African countries. Statistics show that Africa has already benefited from a colossal sum valued at the US \$1 trillion over the past half-century (Moyo, 2009). Nevertheless, numerous states still remain poorly developed and rely on external assistance to survive.³ Perhaps this goes to explain why proponents

¹ Nkurunziza Janvier D. & Floribert Ngaruko, *Explaining Growth in Burundi: 1960-2000*, Growth Working Paper No. 5, African Economic Research Consortium 2004.

² Nkurunziz D. Janvier, *The Origin and Persistence of State Fragility in Burundi*, The LSE-Oxford Commission on State Fragility, Growth and Development, 2017.

³ Alemu, Aye Mengistu, and Jin-Sang Lee. "Foreign Aid on Economic Growth in Africa: A Comparison of Low and Middle-Income Countries." *South African Journal of Economic and Management Sciences* 18, no. 4 (2015): 449-462.

of the foreign aid theory strongly believe that, while foreign aid may be useful for economic growth in the early stages, development comes from indigenous efforts rather than foreign aid.

Burundi is a landlocked and poor country whose mining and manufacturing sectors are not equally developed. Agriculture employs more than 90% of the population and accounts for more than 40% of GDP. Exports are not diversified. Burundi's main export crops are coffee and tea, which account for 90% of its foreign exchange earnings.⁴ Thus, revenues from Burundi's exports and its capacity to pay for imports depend substantially upon climatic conditions and costs in the international coffee and tea markets, despite their low contribution to GDP. Over the years, Burundi has enormously relied upon assistance, both bilateral and multilateral. External assistance in 2014 was estimated at 42% of Burundi's national income, which constitutes a fairly high rate and occupies second place in the sub-Saharan Africa zone.⁵

Burundi's Economic Growth and Foreign Aid

The role of foreign aid or external support in economic growth in underdeveloped states has been the subject of much discourse. Africa has received much assistance over the past 50 years. Nevertheless, it is clear that numerous countries are still underdeveloped and rely on external assistance to manage their countries. This shows that this assistance has not brought about the anticipated tangible outcomes. The issue of aid effectiveness was strongly raised and highlighted in 2005 when the Paris Declaration (PD) was endorsed by members of the Development Assistance Committee (DAC) of the Organization for Economic Cooperation and Development (OECD). Despite the steady flow of aid to African countries since as early as the 1960s, most countries' performance has remained unsatisfactory.⁶

According to the Business Monitor International (BMI) report, foreign aid granted by donors represents approximately 50% of the country's national budget, and Burundi is one of the low-income countries with low reserves whose void is filled by foreign aid to strengthen reserves. In addition, the heavy dependence on foreign aid also presents a great risk, as this source of income is highly unpredictable and sometimes depends on the leniency of donors. Burundi's economic growth and diversification also depend on the country's macroeconomic stability. Nonetheless, with the decline in foreign aid over the

⁴ <https://www.knowyourcountry.com/burundi1111> accessed on 19 August 2021.

⁵ Ibid.

⁶ <https://openknowledge.worldbank.org/bitstream/handle/10986/32114/Burundi-Country-Partnership-Framework-for-the-Period-FY19-FY23.pdf?sequence=1> accessed on 19 August 2021.

past decade from 27% of GDP in 2008 to 14% in 2014 and to less than 10% after the 2015 crisis, the increase in domestic revenue was affected. Hence, it is not sufficient to fill the gap. Burundi does not have an adequate tax system that would serve as a buffer to counter shocks.⁷

The foreign aid theory on which this study is premised assumes that three donor motives dominate foreign aid decisions: “expectations of gratitude, in the form of support for the donor’s interests; furtherance of the donor’s economic interests, through the vehicle of more trade; and altruistic motives, the desire to raise the standard of living in recipient countries.” Dudley and Montmarquette’s model is expressed in three equations that together imply that per-capita aid to a nation rises when (1) the donor’s value of giving foreign aid to that nation is high enough; (2) the recipient nation’s per-capita income is low enough; and (3) the recipient nation’s population is low enough.⁸ Therefore, when working out aid, developing countries should be wary of donor motivations as well as their own national and foreign policy interests.

According to the World Food Program, the Burundian population that lives on two dollars a day is estimated at 93.5%. As a result, the chronically malnourished population is estimated at approximately 58%. Burundi’s GDP reached a record level of \$2.715 billion, but this level is still very low by world standards.⁹ Since Burundi’s GDP is so low, the funds to fight hunger come mainly from external assistance. In 2010, Burundi received assistance totalling \$629.9 million, but in 2012 the country received only \$522.7 million (World Bank). This shows that there was a decrease in assistance of \$107.2 million; this sum of money could help reduce the suffering of people affected by hunger in Burundi.¹⁰ In this regard, a particular effort is put into humanitarian aid rather than into the development of the country.

Burundi has regularly received very significant aid in the past few years. Presently, the national budget is financed by foreign aid to the tune of approximately 50%, most of which constitutes grants. However, the very significant foreign aid granted to the country has not yet produced any tangible results in terms of sustainable economic growth.¹¹ Burundi’s economy has been defined by vulnerability and lack of security since its independence in

⁷ <https://openknowledge.worldbank.org/bitstream/handle/10986/32114/Burundi-Country-Partnership-Framework-for-the-Period-FY19-FY23.pdf?sequence=1> accessed on 19 August 2021.

⁸ Baker I. Brian, Foreign aid: history, theories, and facts, Monthly Labor Review, January 2014 <https://www.bls.gov/opub/mlr/2014/beyond-bls/pdf/foreign-aid-history-theories-and-facts.pdf>.

⁹ Kiefer, Roman. “Burundi: Foreign Aid.” *African Journal of Food, Agriculture, Nutrition and Development* 15, no.5 (2015):1-7.

¹⁰ Ibid.

¹¹ Nielsen, Hannah, and Dorsati Madani. “Potential benefits and risks of increased aid flows to Burundi.” *World Bank Policy Research Working Paper* 5180 (2010).

1962.¹² Generally, Burundi is regarded as one of the least developed countries on the globe.

Since 2000, the country has experienced a slow economic recovery, with an estimated average growth rate of 3%. The same trend was observed in 2011, with a growth rate estimated at 3.9 per cent in 2010 and 4.2 per cent in 2011 (estimate). Inflation remains a difficult issue, with an estimated inflation rate of 14 per cent in 2011 (9.5 per cent in 2010 and 4.6 per cent in 2009). The aforementioned inflation rate is caused by the high cost of basic necessities and petroleum products in the global market.¹³

After the political crisis broke out in Burundi, both external supporters suspended financial assistance, especially from the year 2015. Donors withdrew from the partnership with Burundi (March 2016) due to non-compliance with Article 96 of the Cotonou Agreement.¹⁴ The other major partners' bilateral aid agencies, such as Belgium, the Netherlands, Germany, and France, have withdrawn from cooperation. As a result, Burundi lost all direct aid granted to the administration and found itself with derisory direct financial assistance and humanitarian support to the population in the form of ongoing projects and programs.¹⁵

A political crisis in 2015 led to a deterioration in the security situation and strained Burundi's relationship with the international community. The 2015 political crisis, the subsequent withdrawal of most external support and the authorities' policies since then have led to a difficult economic situation marked by low growth, elevated public debt, external imbalances, and banking system fragility. Aid used to contribute about half of the government's total revenue. Following the events of 2015, donors withdrew all budget support and suspended most project aid. Over the 2014-16 period, aid fell from 8.5 per cent to 2.3 per cent of GDP.¹⁶

Inflation rose quickly following the crisis but has since been brought down. Inflation has tracked money growth quite closely in recent years, while food prices, driven in part by the impact of climatic conditions on harvests, are also an important driver of price dynamics. Monetary conditions have been restrictive since 2017, which, in combination with substantial bank financing

¹² Mawejje, Joseph, and Nicholas M. Odhiambo. "The Dynamics of Fiscal Deficits in Burundi: An Exploratory Review." *Acta Universitatis Danubius: Oeconomica* 15, no. 5 (2019).

¹³ Baumont-Keita, C., R. Linzatti Orea, Orea YPP, L. Yapo, Principal Resource Mobilization Expert, A. ORMU, M. Kinane OSFU et al. "African Development Bank African Development Fund." (2011).

¹⁴ <https://www.unicef.org/esa/sites/unicef.org/esa/files/2018-09/UNICEF-Burundi-2017-Political-Economy-Analysis.pdf> accessed on 31 August 2021.

¹⁵ Ibid.

¹⁶ <https://www.imf.org/en/Publications/CR/Issues/2020/07/24/Burundi-Request-for-Debt-Relief-Under-the-Catastrophe-Containment-and-Relief-Trust-Press-49607> accessed on 28 August 2021.

of large fiscal deficits, implies constant crowding out of credit to the private sector.

Fiscal deficits increased sharply, averaging 7% of GDP per year from 2015 to 2019, despite reductions in investment and social spending and progress in revenue mobilization, pushing the public debt to record levels. With external financing sources drying up, deficits have been financed by borrowing first from the central bank, then from commercial banks, and also through the accumulation of arrears to suppliers. Domestic debt is estimated to have increased to 39.6 per cent of GDP in 2019 (up from 16.6 per cent in 2014), while external debt has decreased slightly to 17.8 per cent of GDP (down from 19.6 per cent in 2014). Foreign currency reserves have dwindled to around one month of imports (from four months of imports in 2014).¹⁷

Main Findings

If we consider the lag effect of aid, the structure of aid granted to Burundi between 2001 and 2007 revealed that there is no correlation between increased aid flows and low economic growth. The majority of the assistance, approximately 41%, was allocated directly to humanitarian and emergency activities, specifically emergency or distress relief and emergency aid. According to Clemens et al. (2004), this type of assistance does not directly boost economic growth and may even coincide with a negative growth rate because it is expended during a time of emergency.¹⁸

When compared with other countries emerging from conflict, the economy of Burundi has not moved positively compared with other countries emerging from crises. For example, Rwanda and Sierra Leone experienced economic growth at an estimated rate of over 10% on average during these post-crisis periods, while Burundi's growth rate was equivalent to 2.8% in a similar period. On the other hand, the Democratic Republic of Congo has experienced a higher growth rate compared to Burundi.¹⁹

Conclusion and Recommendations

The purpose of this study was to assess the impact of foreign aid on Burundi's economic growth. The study's conclusive findings show that aid and a country's domestic investment are two determining factors in Burundi's economic advancement, both in the long and short term. Despite the fact that foreign aid

¹⁷ Ibid.

¹⁸ <https://openknowledge.worldbank.org/bitstream/handle/10986/19939/WPS5180.pdf?sequence=1> accessed on 31.

¹⁹ Ibid.

may not have a long-term impact on the Burundi economy, it is critical in the short term. This assessment's findings have implications for strategy. Despite high aid inflows, the country's low growth performance does not necessarily indicate that assistance is inefficient or exceeds Burundi's capacity to utilize the aid. It shows that a great portion of the assistance has been distributed for humanitarian support and emergency assistance. The majority of foreign aid is oriented toward humanitarian assistance, which does not have direct growth in the economy.

In the assessment of the impact of foreign aid on economic growth in Burundi, it emerged that donor motives indeed determine aid assistance. This conforms to theoretical tenets. In turn, these motives, interests, and expectations cause foreign aid to have little effect on growth. When interests, motives, and expectations are varied, they can have a negative effect on economic growth. The findings of this study recommend that Burundi should avoid overreliance on foreign aid. Instead, the country should invest more in the mining industry, which is promising in the country, and diversify its commodities for export.

Burundi is likely to remain dependent on foreign aid in the near future, but in the long term, the country should reduce aid dependency by investing in sectors that enable rapid economic recovery and, consequently, economic growth. In this regard, Burundi can build a long-term dependence on foreign aid. Burundi should draw from its previous bilateral donors that are presently seizing their aid (such as the European Union, Belgium, Germany, the Netherlands, and France) to enhance the reinstatement of the former support. Burundi should work with the important financial supporters who are nowadays freezing the financial support (such as the European Union, Belgium, Germany, the Netherlands, and France) to make sure that previous levels of assistance are restored.

THE BLUE ECONOMY'S POTENTIAL FOR PROMOTING SOCIOECONOMIC DEVELOPMENT IN KENYA

Col Dominic V Wambua 'psc'(K), 'psc'(IND)- Kenya Navy

Abstract

This journal aims to assess the opportunities available in the Blue Economy to transform the socio-economic landscape of Kenya. The concept of “blue economy” has gained lots of popularity in the last two decades, and oceanic resources have been identified as a viable means for socio-economic development. Kenya has been deriving economic benefits from marine resources, but her blue economy remains largely unharnessed. Therefore, this journal explored the opportunities that exist in Kenya's blue economy as a driver for socio-economic development using structural theory. The journal found that significant opportunities to enhance the socio-economic condition of the state lie in its ability to enhance the performance and operations of its coastal ports while engaging in deep-sea mining and the production of renewable blue energy. It could also promote aquaculture, introduce a more productive model in its tourism sector that focuses on ecotourism, heritage and culture, and explore marine biotechnology.

Introduction

The oceans and seas comprise the world's largest ecosystem, posing new and related development challenges such as food security, commerce, security, and climate change.¹ Spalding asserts that with the increased global population in the twenty-first century, coupled with the fast diminishing of land-based resources, the economic potential of the oceans has been rekindled.² As a result, the concept of “blue economy” is taking root across the world with many governments employing it for job creation.

Due to its geographical location in the tropics and its undiversified nature, Kenya's economy is particularly vulnerable due to its heavy reliance on agriculture. It is sensitive to exogenous shocks as well as endogenous inefficiencies that may arise because of climate change and an under-trained and aging workforce, with little prospect of succession since most young people

¹Larik, J. et al., “*Blue Growth and Sustainable Development in Indian Ocean Governance*.” The Hague Institute for Global Justice Policy Brief. (2017)

²Spalding, M J., “*The New Blue Economy: the Future of Sustainability*”, Journal of Ocean and Coastal Economics, Vol. 2, Issue 2, February 2016, p 1-21

migrate to cities or abroad. Therefore, the inclusion of the Blue Economy in economic growth to uplift the sector and secure both its current economic function and future place in a dynamic world needs to be considered.

Kenya's aquatic resources, both living and non-living, are estimated to be worth billions of Kenya shillings³ Therefore, these vast resources provide an alternative opportunity to eradicate the prevailing social problems of poverty and hunger and assist in achieving sustainable growth. Therefore, this journal focuses on identifying the opportunities that exist in the Blue Economy that the government and sector stakeholders should exploit to bolster socio-economic transformation and be a strategy to revamp the economy after the lull orchestrated by the COVID-19 pandemic.

This journal utilized the structural change theory, which builds upon the idea that economic development in developing economies is marked by the change from traditional agriculture-based production to more modernized industrial production of goods and services.⁴ Kenya needs to shift from overdependence on agriculture and establish a new economic structure with industries focused on exploiting other resources, particularly the ocean and coastal resources.

The Opportunities Available in the Blue Economy for Kenya's Socio-Economic Development

Recognizing the increased awareness of the social-economic worth of the Blue Economy, the vast resources in Kenya's oceanic territory, this journal has identified the following opportunities that exist to bolster socio-economic transformation.

Modernizing Ports to Improve Efficiency and Performance

Poor port performance is one of the problems that prevents Kenya from deriving its maximum economic benefits. According to Fengler, the goods handled in Mombasa port for one year can be handled in Shanghai port in a week.⁵ Improvement in Kenya's port performance has the capacity to increase the country's Gross Domestic Product (GDP) by about 2 percent.⁶

³ USAID, *"The Importance of Wild Fisheries for Local Food Security: Kenya,"* p.1. Available at https://www.agrilinks.org/sites/default/files/resource/files/kenya_file.pdf Accessed online

⁴ Chenery, H. B., "Patterns of industrial growth." *The American Economic Review*, 50(4), (1960), p.624–654

⁵ Fengler, W., "Why Kenya needs a world-class port in Mombasa," *The World Bank*. Last modified April 2012. <https://blogs.worldbank.org/african/why-kenya-needs-a-world-class-port-in-mombasa>.

⁶ United Nations Economic Commission for Africa. "Africa's Blue Economy: Opportunities and challenges to bolster sustainable development and socioeconomic transformation." United Nations. p.7.

The construction of the new Lamu port is a step in the right direction, but concerted efforts by key stakeholders, including the Kenya Ports Authority (KPA), are needed to improve Kenya's sports performance.

Exploring Renewable Blue Energy and Deep-Sea Mining

Energy, especially inexpensive access to it, is one of the most significant markers of economic growth. However, in Kenya, high energy costs and insecurity are important roadblocks to efficient manufacturing and economic growth. Renewable energy systems have the potential to lower electricity production costs, and the ocean presents an opportunity for Kenya to exploit renewable energy sources like ocean currents, thermal gradients, offshore winds, tides and waves.⁷

The ocean floor also has minerals and metals in vast quantities. Due to decreasing supplies “in land-based mines, as well as the potential for substantial environmental and social implications of land-based mining, demand for minerals is rising”.⁸ Take advantage of this opportunity that is hidden in the deep blue, Kenya has to actively build its capacity, including partnering with developed countries, to create technologies and acquire skills needed for deep-sea exploration and mining.

Diversifying Fisheries and Aquaculture

Kenya's fishing and aquaculture sectors contribute a paltry 0.5 percent of the GDP, employing 2 million people with an annual production level of 9,000 tons.⁹ This is a little contribution when put into perspective that Kenya is situated within the rich tuna belt within the Indian Ocean, with an opportunity to increase her current fishing capacity for export and take advantage of the large and ready market for fish products in Europe, which it could exploit to earn a position in the billion-dollar global tuna industry.

⁷ Rasowo, Joseph O., OrinaP., Nyonje B., Awuor S., and Robert Olendi. “Harnessing Kenya's Blue Economy: prospects and challenges.” *Journal of the Indian Ocean Region* 16, no. 3 (2020), p. 292-316

⁸ Hein, J. R., Mizell, K., and Barnard, P. L. (2013). Mineralogical compositions of sediment samples from the San Francisco Bay coastal system. *Pharmacopsychiatry* 46, p.54–58. doi: 10.1594/PANGAEA.803903

⁹ FAO. *Fishery and Aquaculture Country Profiles: The Republic of Kenya*. www.fao.org, 2015. <https://www.fao.org/fishery/facp/KEN/en#CountrySector-StatusTrends>.

Furthermore, Kenya also has an opportunity to improve on marine aquaculture by promoting community-based aquaculture among people living in the coastal regions, who are among the poorest communities in Kenya.¹⁰ These opportunities will create wealth, social integration, employment, and foreign exchange earnings.

Promoting Blue Tourism:

Blue tourism has been a “major source of Kenya’s foreign exchange earnings and contributes to the GDP.” Incorporating ecotourism will be an effective way to promote blue recovery through coastal tourism. Ecotourism is “the increase of safeguards for wetlands, mangroves, and seagrass fields necessary to maximize carbon sequestration, wild fish population recovery, enhanced water quality, and reef/ecosystem health.” Incorporating ecotourism will be an effective way to promote Kenya as a vacation to national parks that are almost entirely made up of these coastal features will draw more tourists who like natural scenery that is easily accessible, with the added benefit of “promoting environmental conservation and limiting environmental impact.”¹¹ Kenya also needs to enhance the development and promotion of nature-based tourism, such as yachting, boating, diving, and sportfishing.¹² Beach tourism is no longer competitive, and so there is a need to focus on heritage and culture.

Marine Bioprospecting and Biotechnology

The ocean is home to “the world’s biggest collection of animals and plants that are waiting for systematic discovery through marine bioprospecting and application through marine biotechnology.”¹³ Marine biotechnology includes marine medication development, antifouling solutions, and cosmeceuticals.¹⁴

¹⁰ Teweberhan, Mebrahtu, Joanna Hudson, Antoine Rougier, Narriman S. Jiddawi, Flower E. Msuya, Selina M. Stead, and Alasdair Harris. “Community based aquaculture in the western Indian Ocean: challenges and opportunities for developing sustainable coastal livelihoods.” *Ecology and Society* 23, no. 4 (2018).

¹¹ Tegar, D., SautGurning, R.O. “Development of marine and coastal tourism based on blue economy.” *Int. J. Mar. Eng. Innov. Res.*(2018), p. 128–132

¹² Rasowo, Joseph O., Paul Orina, Betty Nyonje, Salome Awuor, and Robert Olendi. “Harnessing Kenya’s Blue Economy: prospects and challenges.” *Journal of the Indian Ocean Region* 16, no. 3 (2020), p.292-316

¹³ Pathak, S. Marine Bioprospecting: Bioactive compounds from Cnidarians and Molluscs: A Review. In *Proceedings of the National Conference on Innovations in Biological Sciences*, Gujarat, India, 10 January 2020; ISBN 978-93-5407-322-9.

¹⁴ Makaroglou, G., Marakas, H., Fodelianakis, S., Axaopoulou, V.A., Koumi, I., Kalogerakis, N., Gikas, P., Optimization of biomass production of *Stichococcus* sp. Biofilms coupled to wastewater treatment. *Biochem. Eng. J.* 2021, 169, 107964

This creates the potential for local businesses to collaborate with their international counterparts by building marine bioprospecting, biotechnology, and biomedicine facilities, among other things.

Conclusion

The journal has identified opportunities in the Blue Economy that can promote socio-economic development in Kenya. The analysis has proven that Kenya barely leverages the economic benefits that ports offer. Opportunities are also available in “deep sea mining, renewable blue energy, fisheries and aquaculture, marine bioprospecting, biotechnology, and blue tourism”. To leverage these opportunities, the stakeholders and the government have to make improvements in these sectors. Through innovation, the country should leverage the marine sector, and this will serve to diversify the economy from the overreliance on land-based activities towards achieving smart, inclusive and sustainable growth.

THE SOCIO-ECONOMIC IMPLICATIONS OF DIGITAL TECHNOLOGY GROWTH AND DEVELOPMENT IN KENYA

Mr. Enock Nyandegé - National Youth Service

Abstract

This article discusses the socio-economic implications resulting from digital technology's growth and development. It is anchored on digitalization theory and focuses primarily on digital technology influenced by internet penetration in the world. It is guided by the following research questions: "The socio-economic implications of digital technologies and the challenges confronting digital technologies in Kenya." The scope covers digital technology penetration in Kenya in the last five years and the perceived insinuations, which entails determining the value of the digital economy and the country's gross domestic product (GDP). Since technology is not static, it has both opportunities and challenges, forming part of this discussion. It is imperative to note that digitalization in Kenya has resulted in improved connectivity throughout the country, which ensures interoperable mobile money transfer and implementation measures to strengthen consumer protection, improve revenue collections, and access to government services. Further, the adoption of digital financial systems has led to the establishment of Fin-Techs, which offer payment platforms that support businesses in all sectors of the Kenyan economy. However, the technology process has been confronted by many challenges, including interoperability and dominance, enhancing consumer freedom to the network switch, which enables them to access essential services. Another challenge is entrenched in the regulatory framework governing digital technologies, as well as low internet connectivity is partly attributed to a standard connection to the electricity power grid.

Background

In the past few years, there has been a debate focusing on digital technologies, innovations, skills, products, and services spreading across economies. There is no clear definition of digital technology. This article responds to the questions outlined. However, machine-readable data is popularly known as digital data. It continues to evolve at a breakneck speed, forming a global digital economy. Digital data arises from personal, social, and business activities on various

digital platforms around the world.¹ According to the 2019 UNCTAD digital economy report, “Global Internet Protocol (GIP) traffic, a proxy for data streaming, grew from approximately 100 gigabytes (GB) per day to over 45,000 GB per second in 2017.”² The same report indicates that the world is in the early days of the data-driven economy; by the year 2022, global IP traffic is projected to rise to 150,700 GB per second, filled by more and more people coming online and by the expansion of the Internet of Things (IoT). Digital platforms provide mechanisms for bringing together a number of parties to interact online.³

The evolution of digital technologies can be traced to the 1990s when enterprises and consumers adopted the internet. As internet use expanded, reports started emerging on how the internet could grow digital economies. From the 2000s onwards, policies and definitions related to the use of digital platforms started appearing, coupled with increased internet connectivity, internet firms as key actors, and improved consumption of digital technologies. This is associated with the development of some vital software-oriented technologies such as blockchain technologies, data analytics, and artificial intelligence (AI).

Other evolving technologies include user-facing devices such as computers and 3D printers and specialized machine-oriented hardware such as IoT, automation, robotics, and cloud computing. According to the UNCTAD report of 2019, Google constitutes 90 percent of the search engine market share, while Amazon constitutes the world’s largest online retail market. *Facebook controls 66% of the global social media market*⁴. In China, *Wechat* includes the most prominent mobile payment solution, controlling 100 percent of the Chinese market with over 1 billion active users. According to the *Price Waterhouse Coopers* policy brief published in 2018, “seven of the world’s top eight companies by market capitalization have data-centric business models.”⁵ while a decade ago, the most prominent companies by market capitalization were oil-based companies such as Exxon and Total Plc. Today, the most famous

¹ UNCTAD. (2019). *Digital Economy Report 2019: Value Creation and Capture; implications for developing countries*. Geneva: United Nations Publication-<http://unctad.org/press-material/global-efforts-needed-spread-digital-economy-benefits-un-report-says>

² UNCTAD. (2019). *Digital Economy Report 2019: Value Creation and Capture; implications for developing countries*. Geneva: United Nations Publication-<http://unctad.org/press-material/global-efforts-needed-spread-digital-economy-benefits-un-report-says>

³ Ibid, p. 17

⁴ Op Cit.

⁵ PwC. (2018). *Global top 100 companies by market capitalization (31 March update)*. Available online at: <https://www.pwc.Com/gx/en/audit-services/assets/pdf/global-top-100-companies-2018-report.PDF>.

companies are data-centric.

Digitization in Kenya

Digitization in Kenya started with mobile telephony, particularly in March 2007, when mobile phones facilitated the transfer of money from urban workers to their families in rural areas.⁶ This M-Pesa platform development was launched in partnership between Safaricom and the Commercial Bank of Africa in Kenya.

This entailed a person-to-person transfer of money facilitated by a network of agents who enabled cash withdrawals and credits. As indicated by Ndungu, by 2017, the digitization of money transfers in Kenya saw financial inclusion reach 82 percent.⁷ Kenya has become a world leader in the development of mobile money since the launch of M-Pesa in 2017, increasing rates of financial economy. Various transformations and implementing measures have been brought about in the country by the digital evolution to strengthen consumers' protection and are the future critical changes to a complete digital identification (e-ID) system⁸ of consumer's confidence in digital financial systems has been enhanced and enabled the development of products that serve numerous applications, particularly essential services, consequently leading to the establishment of Fin-Techs, which offer payment platforms to assist business models across all economic sectors.

Theoretical Framework

This article is anchored on the digitalization theory proposed by Yoo & Lyytinen et al., who argue that digitalization is “the transformation of socio-technical structures and relationships that takes place when moving from non-digital artifacts to digital artifacts.” Digitalization has led to the creation of more opportunities, especially in this era of globalization, and has enabled easy access to key services by people globally. Despite the challenges confronting digital technology, it has played a key role in steering social growth and development in the country.

⁶ Njoroge, P. (2020). *Kenya's Digital Transformative Journey. Keynote Address by the Governor of Central Bank of Kenya to the Institute of Chartered Accountants of Barbados (ICAB) Annual Conference 2020*. Nairobi: CBK

⁷ Ndungu, N. (2019). *Digital Technology and State Capacity in Kenya*. Washington D.C: CGD Policy Paper 154

⁸ Mazer, R., & Rowan, P. (2016). Competition in mobile financial services: Lessons from Kenya and Tanzania. *The African Journal of Information and Communication*, 17,(4), 39-59.

There are too many socio-economic implications of digital technologies in Kenya.

The launch of mobile money services, particularly M-Pesa, in 2007 increased the rates of financial inclusion. Kenya has been placed ahead of other developing countries in the region following a series of innovations and the success of M-Pesa services that have shaped Kenya's digital space. According to Ndungu, "The evolution of mobile financial services has enabled the government to implement an e-governance strategy to provide a range of service opportunities that benefit public programs, including transforming the private sector." The *M-Akiba* is another digital product launched in Kenya which has increased micro-investment in government securities through transactions with mobile phones. Through the platform, the government aims to borrow 5 billion KSh to finance its development projects. M-Akiba aims to improve the culture of saving and investment among Kenyans. The digital platform created an economic opportunity for smallholder investors to purchase government bonds, which were previously restricted to only 2% of Kenya's population. According to records issued by the National Treasury, most smallholder investors dominated the uptake of the government bond by investing Ksh 10,000. In contrast, a substantial 31 percent supported a minimum of Kshs. 3000.⁹ Digitization has enabled a competitive market for both micro savers and investors in the bond market, previously dominated by medium-sized financial and brokerage institutions.

Digitization has improved access to safe drinking water by establishing water vending machines, particularly in informal urban settlements and rural areas. Nairobi Water and Sewerage Company and Grundfos (a Danish water engineering firm)¹⁰ initiated and installed water vending machines in Mathare slums, Huruma, and Mukuru Kwa Njenga informal settlements. Consumers are required to load their credit cards with credit, which they swipe at water vending machines, and are supplied with water from the main source. Digitization has enabled the process to be actualized through M-Pesa and cloud computation, ensuring accountability by publishing transactional and operational data.

⁹ The National Treasury. (2020). M-Akiba Treasury bond. Government of Kenya. Nairobi: Government Printer

¹⁰ www.cgdev.org

By eliminating intermediaries and water cartels that exploited slum dwellers, the digitization of water vending has reduced the cost of clean and safe drinking water from Ksh. Two hundred fifty to Ksh. 25, weekly expenditure on water.¹¹

Various socio-economic benefits have been realized by many Kenyans in rural areas utilizing a digital product popularly known as *M-Kopa* Solar, supporting low-income consumers to purchase affordable energy solutions. Through this digital platform, consumers must make a deposit and subsequent daily payment of a substantial amount for one year. The *M-Kopa* has connected more than 500,000 homes to solar energy. The connection has saved many Kenyan electricity bills and millions of dollars in health risks associated with firewood and kerosene. The socio-economic benefits realized by the *M-Kopa* Solar product are realized through savings and reduced health complications associated with pollutants such as kerosene.

The *I-tax* is a government-owned digital platform owned by the Kenya Revenue Authority (KRA) and developed by an Indian technology firm, Tata. The *I-tax* platform enables the government to collect revenue, including domestic taxes, exercise, and customs duties. The platform has reduced the long queues that Kenyans used to experience at the Kenya Revenue Authority (KRA) headquarters. The time taken by taxpayers to file their annual tax returns has been simplified by a click of a button, thanks to the digitization of the filing systems currently in use by the revenue authorities. Digitization has improved revenue collection in the country and reduced the pain associated with the late filing of returns.

Further, the I-tax system has eliminated the bureaucracy related to raising taxes and evasion. Other digital platforms initiated by the government of Kenya include the integrated financial management information system (IFMIS)—an automated digital system for public financial management that links various aspects of financial management (planning, budgeting, expenditure management, accounting, and auditing) in government ministries, agencies and departments. The IFMIS system also enables payments from the national government to the county government.

Digitization of government services has seen the introduction of an e-citizen service portal, which enables access to various government services. Kenyans can access and apply for government services through the e-citizen platform and pay for the services through mobile payment options available in

¹¹ Responses obtained by the researcher on a field survey at Mathare Slums on 24th August 2021. Int. J. Mar. Eng. Innov. Res. (2018), p. 128–132

the country, specifically M-pesa. Through the e-citizen service portal, Kenyans can register their businesses online, pay for them, and print their incorporation certificates without visiting any government office. While this saves money and time, it has also revolutionized how the government relates to its citizens. Travel permits, which caused much trauma for immigrants at Nyayo House (Immigration headquarters) in Nairobi, can now be accessed anywhere in the country with internet connectivity. The delays previously associated with documentation have now been phased out with the digitization of government.

Challenges of Digital Technologies

Presently, most mobile users are on 2G technology, with the rest grappling with 3G technology and very few using 4G technology in a world shifting to 5G technology. According to Sunni, 2G technologies are used by Kenya mobile users, which means low internet connectivity. The standard internet connectivity is partly attributed to a common connection to the electricity power grid, which is another hindrance to the digitalization process in the country. Another challenge is entrenched in the regulatory framework governing digital technologies and, particularly, digital financial systems. The challenge remains in preventing cybercrime among Kenyan regulators as the country lacks a comprehensive legal policy framework to tackle cybercrime. Consumer data protection is another challenge confronting digital technology adoption in Kenya, particularly sharing of data among government agencies and financial institutions.

Conclusion

Digital development in Kenya has contributed immensely towards strengthening state capacity in meaningful ways. The socio-economic implications of digital technologies in Kenya can be favorable for easing the cost of transactions, time and convenience of commerce, and access and delivery of services. Digitization has enabled financial inclusion, where digitization has led to the electronic retail payments system covering almost the entire economy, including government services. Digital technologies have enabled FinTechs to develop innovative products such as M-Akiba, M-Kopa Solar solutions, and One Acre Fund to provide agricultural products and services with government-owned services such as e-citizen, Huduma centers, and the I-tax system, which enables the government to collect revenue better. The digitization process in Kenya is faced with challenges such as interoperability constraints brought forth by the dominance of one mobile network operator (MNO)-Safaricom. The

digitization process is also challenged by low internet connectivity, coupled with low connectivity to the national power grid. Regulatory challenges on matters to do with consumer data privacy and protection continue to hamper the regulatory framework governing digital technologies in Kenya.

THE CHALLENGES OF DIGITAL TAXATION IN DEVELOPING COUNTRIES

Ms. Faith Kiara - Kenya Revenue Authority

Abstract

Digitization is a double-edged sword. on the one hand, it has significantly contributed to achievement of SDGs from adoption of new technology, on the other hand it has constrained government revenue streams, which are the backbone of Africa's socio-economic growth. The digital revolution has ushered in unparalleled opportunities with alarming challenges in the 21st century. While COVID-19 has had a significant impact on traditional revenue streams, the digital economy has remained resilient and has performed better than expected. Traditional tax regimes are ill-equipped to deal with evolving digital business models, and the international tax system has failed to promote fair and equitable taxation rules, leaving African governments with the difficult task of protecting their revenue base.¹ The study critically examined the digital economy and challenges of digital taxation in developing countries with a view to drawing lessons and recommendations for countries to overcome the current rules of international taxation and safeguard their tax base. The methodology employed is descriptive analysis and explanatory techniques. The study adopted the dependency theory, which best explains the inequalities between the developed and developing countries due to the exploitation of the periphery and semi-periphery countries by the core countries. The literature explores the digital economy and how international taxation rules have failed to ensure the fair taxation of revenues earned by developing countries. It highlights countries' experiences in taxation of the digital economy and the multilateral initiatives that have been undertaken to address these challenges.

Keywords

BEPS (Base Erosion and Profit Shifting); data; digital economy; digital taxation; revenues; value creation

Introduction

Smartphones and personal computers (PCs) are not just convenient accessories but rather a daily necessity. The old “physical presence of

¹Ahmed, S. & Gillwald, A. (2019). “Multifaceted challenges of digital taxation in Africa.” Policy Brief 7. *Research ICT Africa*. Final-Tax-PB_30112020.pdf (africaportal.org)

commercial transactions” has given way to new forms of value creation and innovative business models such as social networking platforms, digital apps, and financial services in the marketplace. Although the digital economy has created immense wealth in record time, it’s dominated by a small number of individuals, organizations, and countries. The outbreak of the pandemic and lockdowns disrupted traditional occupations and consumption patterns as millions turned to the internet for their entertainment, learning, and new commercial activities from creative work and computer-based offices. This led to increased revenues for digital companies while, on the other hand, a sharp decline in domestic revenue from traditional sources of income. The expansion of the digital economy has worsened the situation for developing countries, which have continued to witness revenue decline as the digital economy becomes the new normal.² These multinational digital companies have raked in huge profits from other countries over the internet without establishing any physical presence. The tools available in international tax are outdated and no longer viable.

Facebook, Amazon, Zoom, Twitter, WhatsApp, and Google are among the digital MNCs that have generated huge profits from developing countries while evading taxes such as corporate income taxes (CIT) by failing to establish any physical presence in most developing countries, which heavily contribute to their revenues, but instead preferring to establish their headquarters primarily in G7 and G20 countries.³ The international tax law has failed to ensure the fair taxation of the revenue pie across the world, adding to inequalities between the rich developed countries and poor developing countries. This is because digital taxation has challenged the rules of international taxation that impose tax obligations on physical permanent business establishments (PE), which are nonexistent for digital MNCs.

Digital multinational corporations profit by selling their services in developing countries like Kenya without establishing a physical presence (source jurisdiction), then repatriating profits for taxation in their host countries like the United Kingdom or Bermuda (known as headquarters jurisdictions). These digital companies profit from the millions of users of their platforms in developing countries, who create value for free through data. Poor countries are losing up to \$2.8 billion in tax revenue that could be used to combat COVID-19 and fund the world’s poorest, according to Action

² M. de Wilde: “Tax Jurisdiction in a Digitalizing Economy; Why Online Profits Are So Hard to Pin Down”, Intertax, 2015, p. 796-803

³ “G7’s Global Tax Agreement Overrated, Unfair to Africa.” n.d. ICRICT. Accessed September 13, 2021. <https://www.icrict.com/icrict-in-the-news/2021/6/18/g7s-global-tax-agreement-overrated-unfair-to-africa>.

Aid (2021), which is calling for big corporations to pay a global minimum tax rate that reflects their “real economic presence.”

The COVID-19 pandemic has brought this conundrum to the fore, where low domestic revenues mean increased reliance on external finance, hence soaring levels of debt!⁴ The stakes are high for developing countries, which have been disproportionately harmed. The rising tax burden may further stifle growth and erode milestones achieved in the digital economy, such as financial inclusion in underdeveloped nations fueled by mobile phone transactions. Higher taxes have been found to be regressive, necessitating a re-examination of international law. This paper examines recent policy and legislative measures implemented by some countries and assesses available options for African countries to protect their tax bases in the face of a rapidly growing global digital economy, drawing on the work of the OECD and the ATAF. The OECD/BEPS proposals were noted to have shortcomings. Therefore, African governments should pursue a coordinated approach through the AU and ATAF in calling for negotiations for a new UN Tax Convention that will protect the tax sovereignty of less developed countries.

Background

The digital sector is one of Africa’s most productive industries, with enormous potential for economic growth. The digital economy presents new economic opportunities, but the gains are far from certain since the value created is unlikely to be shared equitably. According to the dependency theory, as represented by Wallerstein, developing countries are located at the periphery of international capitalism and are structured in such a way that benefits the wealthier nations at its core. Similarly, the current international tax laws are not viable for developing countries to obtain a share of the revenue pie, despite providing the digital data that is monetized by the digital companies.

Faced with declining revenues from traditional sources, developing countries have implemented a variety of digital economy taxes, including excise taxes on “over the top” (OTP)⁵ services and mobile money, higher duties on mobile devices, social media, and withholding taxes⁶, the majority of which have been

⁴ Rukundo, Solomon. 2020. “Addressing the Challenges of Taxation of the Digital Economy: Lessons for African Countries Minimum Size X : 15mm X Minimum Size X : 15mm X IDS_Master Logo IDS_Master Logo_Minimum Size.” https://media.africaportal.org/documents/Addressing_the_challenges.pdf.

⁵ Over-the-top (OTP) is networking lingo that describes the delivery of content, services or applications over the internet. (techtarget.com/searchnetworking/definition/over-the-top-OTT)

⁶ Withholding tax is a mechanism in which the payer of certain incomes is responsible for deducting tax at source from payments made at source and remitting the deducted tax to the revenue collection body. (“Withholding Tax- KRA.” n.d. kra.go.ke. Accessed September 13, 2021. <https://kra.go.ke/en/>)

regressive to the growing digital economy and have further reversed the trend. Changes in tax rates, according to economist Arthur Laffer, have two effects: (1) the arithmetic effect, which results in increased tax revenue; and (2) the economic effect, which considers the incentive and disincentive effects of the change in the law.

The Digital Economy

Figure 1 below highlights the performance of the digital sector by market segment. The highest segment by market value is online services at 47%, followed by user interface at 23% and connectivity at 17%.

The largest market category of internet services is the data-driven business model. Consequently, according to the Economist 2017, data has surpassed oil as the most valuable resource on the planet.⁷ Data is converted into digital intelligence and monetized through commercial use to create value. All rapidly evolving digital technologies, such as big data analytics⁸, artificial intelligence (AI)⁹, blockchain¹⁰, Internet of Things (IoT)¹¹, cloud computing¹², and all Internet-based services, rely on digital data. Data-centric business models are increasingly being adopted not only by digital platforms but also by leading companies in a variety of industries.

Further data on mobile internet usage in Low and Middle-Income Countries (LMICs) from 2017 to 2019 supports the above estimates, demonstrating rising popularity in instant messaging, social networking, online calls, reading the news, and watching free online movies, among other activities.¹³ Large digital multinational corporations (MNCs) such as Alibaba, Amazon, Apple,

individual/filing-paying/types-of-taxes/individual-withholding-tax.)

⁷ The Economist. 2017. "The World's Most Valuable Resource Is No Longer Oil, but Data." The Economist. May 6, 2017. <https://www.economist.com/leaders/2017/05/06/the-worlds-most-valuable-resource-is-no-longer-oil-but-data>.

⁸ Big data analytics is the process of employing software to find trends, patterns, correlations, or other relevant insights in enormous data sets ("Big Data, AI, IoT & Cloud Computing: Futuristic Approach?" 2020. TechBooky. January 10, 2020. <https://techbooky.com/big-data-ai-iot-cloud-computing/>)

⁹ AI allows machines to function and interact like people by imitating human reasoning capacity. (Ibid)

¹⁰ Block chain allows you to securely store and share digital data without worrying about data leaks. It allows two parties to deal without the need for third-party verification. ("How Blockchain Is Impacting the Digital Marketing Industry." 2021. ReadWrite. September 6, 2021. <https://readwrite.com/2021/09/06/how-blockchain-is-impacting-the-digital-marketing-industry/>)

¹¹ IoT is defined as a network of interconnected Actuators, People, Physical Objects, Platforms, Networks Sensors, Services, and Virtual Objects, with unique identifiers and the capacity to move data autonomously. It is the key source of massive data collection. (Ibid)

¹² Cloud computing enables big data analytics by providing anytime, everywhere access to data via cloud servers. (Ibid)

¹³ "GSMA The State of Mobile Internet Connectivity." n.d. The State of Mobile Internet Connectivity 2019. <https://www.gsma.com/r/wp-content/>.

Facebook, Google, Microsoft, and Tencent account for two-thirds of market value due to the significant increase in consumer social preferences. The remainder of the world, particularly Africa, is significantly lagging behind the United States and China. Despite this tremendous growth, taxing digital multinational corporations remains difficult due to base erosion and profit shifting (BEPS). As a result, tax administrations seek to ensure that MNCs pay their fair share to avoid overburdening other actors in the value supply chain.

LMICs risk becoming mere providers of raw data to these digital platforms, with the platform owners charging for the digital intelligence generated with that data. Digital data, translated into digital intelligence and monetized through commercial use, is a key digital economy driver.

Transaction platforms (like Alibaba, Amazon, eBay, and Facebook) and code and content innovation platforms (like Android or Linux) are positioned to capture and extract any data linked to online actions and interactions among platform users that are monetized to produce money. MNCs like Google, Facebook, and YouTube use the obtained personal digital data to develop online personalized advertisements that are tailored to the user's preferences. Users' online behavior creates this data all around the world, adding value to online advertising (Fuchs 2018).¹⁴

The Challenges of Digital Taxation

What is the digital taxation dilemma, and why have developing countries lagged behind?

The internet value chain demonstrates that African countries are missing out on the advanced digital business model's high-value chain. Countries have enacted legislation that focuses on taxing the last three divisions (enabling technology and services, connectivity, and users) while ignoring content rights and online services. These taxes were regressive to the growing digital industry and widened the gap between the rich and the poor.¹⁶

First, international taxation rules make it difficult to equitably tax the global digital economy. The existing framework for matching taxing rights focuses on the permanent establishment (PE) rule, which applies to MNCs' economic activities. MNCs sell in these foreign markets where they have little to no physical presence, much easier than traditional firms with permanent establishments. Second, as a source of company value, digital MNCs are increasingly relying on intangible assets, particularly intellectual property such as algorithms, brand names, designs, patented ideas, and trade secrets. These are not only easier to

¹⁴ Fuchs, C. (2018) *The Online Advertising Tax as the Foundation of a Public Service Internet*. London: University of Westminster Press

shift between jurisdictions than tangible assets, but they are also more difficult to value when sold or leased. The third is the participation of users in value creation. The active involvement of their users and the user data generated all provide significant value to some digital MNCs. However, present profit allocation criteria based on where a company's value is created do not recognize such value! Fourth, because of their disruptive character, digital MNCs pose a greater taxing challenge. Local businesses that supply identical services are subject to CIT, while digital MNCs are exempt. Many telecom carriers, which relied on traditional voice and message services as their main source of revenue, are being replaced by mobile communications apps like WhatsApp among smartphone users, leading to falling voice and SMS revenues.¹⁵ Fifth, business digitization is becoming increasingly disruptive. With the rise of online news sites and entertainment attracting local advertisers, newspapers, which employ hundreds of people, are becoming obsolete. Digital products such as e-books, films, music, video games, and software are transacted across borders without payment of applicable customs duties.

Countries' Experience in Taxation of The Digital Economy

In 2018, Uganda enacted a social media tax, requiring users to pay \$0.55 per day to use over 50 popular mobile apps, including Facebook. The taxes were regressive as tax revenues fell dramatically, as the number of internet users dropped dramatically, increasing the motivation for tax cheating as people began to utilize Virtual Private Networks (VPNs) to get around the law. The tax was eventually repealed and replaced with an excise levy on internet data.¹⁶

Kenya introduced the Digital Service Tax (DST) in 2019 for digital service providers (based on international best practices), aimed at widening the tax base. The digital services included downloadable digital content; OTP services, including streaming television shows, films, and others; subscription-based media; provision of the digital marketplace¹⁷, and monetizing data collected on Kenyan users.

¹⁵ Oxford, Adam. n.d. "Why Facebook, Google, WhatsApp Are Squaring off against MTN, Vodacom in South Africa." ZDNet. Accessed September 13, 2021. <https://www.zdnet.com/article/why-facebook-google-whatsapp-are-squaring-off-against-mtn-vodacom-in-south-africa/>.

¹⁶ Xynou, Maria, Leonid Evdokimov, Arturo Filastò, DefendDefenders, With Artwork, and contributions from POLLICY 2018-11-12. 2018. "Uganda's Social Media Tax through the Lens of Network Measurements." Ooni.org. November 12, 2018. <https://ooni.org/post/uganda-social-media-tax/#:~:text=Since%201st%20July%202018%2C%20people%20in%20Uganda%20are>.

¹⁷ A digital marketplace is a platform that allows buyers and sellers of goods and services to communicate directly via electronic methods. ("Demystifying Digital Services Tax- KRA." n.d. Www.kra.go.ke. Accessed September 13, 2021. <https://www.kra.go.ke/en/media-center/blog/1074-demystifying-digital-services-tax>).

To enhance revenue in 2019, Lebanon imposed a \$6 monthly fee on internet voice conversations made through WhatsApp, Skype, and Viber. This sparked widespread turmoil and protests, prompting the withdrawal of the proposed levy within hours. These examples demonstrate the difficulties confronting governments in expanding the shifty revenue base while striking a balance that encourages ICT investment.

Multilateral Initiatives on Taxation of the Digital Economy

The Base Erosion and Profit Shifting (BEPS) Project, announced by the OECD and the G20 in 2013, focuses on 15 action areas that make it easier for multinational firms to evade taxes in the worldwide tax system. The first activity focused on digitization challenges (OECD 2013). The OECD issued an article in 2015 on digital economy taxes that identified three proposals to address characteristics of digital MNCs that make them particularly difficult to tax: (1) a non-physical significant economic presence nexus; (2) a digital transaction withholding tax; and (3) an equalization levy.¹⁸ Most of these proposals are yet to be implemented. Kenya recently adopted the second proposal.

At the same time, ATAF also released its first technical note on digital taxation, emphasizing the OECD/BEPS proposals' shortcomings. In its fourth technical note, ATAF underscored the need for adjustments to global tax policies. (1) Adoption of country-specific thresholds that are proportional to the size of the economy to ensure that smaller economies are not excluded. (2) New profit allocation rules: one of the highest priorities is a fixed minimum return criterion, which must be high enough to eliminate any incentives for profit shifting. (3) For tax purposes, the allocation of a fixed remuneration to routine marketing and distribution activities reflects an assumed baseline activity. This proposal aims at resolving Africa's critical transfer pricing challenges while promoting tax predictability for both taxpayers and tax administrations.

¹⁸ "Addressing the Tax Challenges of the Digital Economy, Action 1 - 2015 Final Report: En." OECD. Accessed March 12, 2022. <https://www.oecd.org/tax/addressing-the-tax-challenges-of-the-digital-economy-action-1-2015-final-report-9789264241046-en.htm>.

Conclusion

The stakes are high for African governments - domestic resource mobilization is the greatest long-term financial approach for combating the coronavirus pandemic's immediate public health, social, and economic repercussions (ATAF, 2020).¹⁹ Therefore, African governments should pursue a coordinated approach through the African Union (AU) and ATAF in calling for re-negotiations on a new UN Tax Convention that will protect the tax sovereignty of less developed countries by stabilizing member countries' tax bases and ensure that MNCs pay a reasonable minimum tax based on their real economic presence. Meanwhile, countries should adopt multilateral recommendations in their own distinct ways. The obstacles they encounter range from one country to the next. The international debate on digital taxation should be continued to maintain fairness and equity in the opportunities generated by the digital economy.

¹⁹ "Taxing the Digital Economy: COVID-19 Heightens Need to Expand Resource Mobilisation Base." 2020. www.ataftax.org. August 25, 2020. <https://www.ataftax.org/taxing-the-digital-economy-covid-19-heightens-need-to-expand-resource-mobilisation-base>.

THE SOCIETAL AND ECONOMIC EFFECTS OF COVID-19 CONTAINMENT KENYA MEASURES

Ms. Linnet M. Vitisia - The National Treasury

Abstract

This article examines COVID-19 containment measures and the challenges in implementation and further analyses the socio-economic effects of the containment protocols instituted in Kenya. COVID-19 is a coronavirus pandemic that sent shock waves around the world, eliciting a euphoria of anxiety due to fear of the unknown. The World Health Organisation would then confirm the existence of the virus and declare it a public health emergency in January 2020¹, followed by an announcement of containment protocols to be observed to prevent its spread. As countries adopted these guidelines, though non-pharmaceutical, that included social distancing, washing of hands, and sanitizing, among others, the spread of the virus was kept in check to a certain degree. Additional country-specific containment measures were adopted that include the closure of businesses in specific sectors of the economy; the declaration of curfews; restrictions on travel; working from home protocols; and the closure of places of worship, schools, and colleges. COVID-19 posed an existential threat, and its detection in the country led to the securitization of its spread. This paper, using securitization theory, sought to answer what containment measures ought to be instituted and the likely challenges arising from the implementation process. In addition, the socio-economic effects arising due to the containment measures were addressed. The study established that restrictions on movement, border closures, paralysis of the tourism industry, closure of institutions of education and places of worship, and curfews significantly contained the spread of the pandemic. The study identified challenges in mitigating these containment measures, including inadequately equipped hospitals; the apathy of workers in the health sector; loss of lives from police brutality; corruption leading to “covid millionaires”; and inadequate societal support to address social ills caused by mental disorder. This paper concluded that the combination of non-pharmaceutical containment measures and the administration of vaccination to citizens had reduced the positivity rate to a low of 1%. This has resulted in the ease of the containment measures by the government two years after detection.

¹Hakan Lane, Mehmet Şahin, Philipp Otto. “Mobility restrictions as a pandemic response”, Cold Spring Harbor Laboratory, 2022

Therefore, I recommend policymakers focus on reforming the health sector to make it accessible to all, fast-tracking the construction of the vaccine facility as supported by Moderna, political goodwill in the prosecution of corruption cases, and undertaking efforts to demystify mental health illnesses.

Introduction

The COVID-19 pandemic has been projected to produce one of the most severe economic downturns in decades, taking years for the global economy to return to pre-2020 levels.² The World Health Organisation (WHO) declared a public health emergency of international concern on January 30, 2020, and a pandemic on March 11, 2020. COVID-19 is a newly identified virus that spreads primarily through sneezing by an infected person when droplets of their saliva or nasal discharge are passed on to another. To stop the spread of this pandemic, WHO issued guidelines that included physical distancing, wearing a mask, keeping rooms well ventilated, avoiding crowds³, handwashing⁴, and coughing into a tissue or a bent elbow.⁵ In addition to the precautions by WHO, the Kenya government issued a press release on February 2, 2020, as guided by the Ministry of Health (MOH), urging the public to remain vigilant, practice good hand and respiratory hygiene, and healthy eating habits, and safe food practices. Additionally, the public was to avoid close contact with people suffering from acute respiratory infections and illnesses such as fever, coughing, breathing complications, and sneezing. People who had traveled to China were advised to go to the nearest health facility for evaluation and prompt treatment.⁶

The threat and urgency of adequate preparedness provoked the formation and alteration of policies and the health shift into “high level” agendas.⁷ The containment measures, also referred to as non-pharmaceutical interventions, have proved effective in preventing the spread of the pandemic. These measures prove to be more rewarding in low-income countries (LICs), and quick

² Nechifor V., Ramos M.P., Ferrari E., Laichena J., et al. Food Security and welfare changes under COVID-19 in Sub-Saharan Africa: Impacts and responses in Kenya’, Global Food Security 2021.

³ Seller J. Jenkins T. et al. Primary Prevention of COVID-19: Advocacy for vaccination for a neurological perspective. European Journal of Neurology, 2021

⁴ Gendered Perspectives on Covid-19 Recovery in Africa”, Springer Science and Business Media LLC, 2021

⁵ World Health Organisation. n.d. World Health Organisation. Accessed August 17, 2021. <https://www.who.int/>.

⁶ Kenya, Ministry of Health. 2017. Ministry of Health. Accessed August 17, 2021. <https://www.health.go.ke/press-releases/>.

⁷ Jessica Kirk, Matt McDonald. The Politics of Exceptionalism: Securitization and COVID-19, Global Studies Quarterly Volume, Issue 3 2021. <https://doi.org/10.1093/isagsq/ksab024>

responses by many LICs appear to have been the right decision as they may have avoided far higher human and economic costs.⁸ Though the containment measures are critical for halting the spread of the COVID-19 pandemic, they come at a high price in the short term.⁹ Empirical evidence from China and a few selected economies and other countries imply that steps taken have been successful in flattening the pandemic ‘curve’ and lowering the number of fatalities.¹⁰ Economic activity in African countries was necessarily affected by the containment measures, and policymakers were forced to utilize economic policies, both fiscal and monetary policies, to alleviate the detrimental impact on the economy. Many African countries leveraged their national budgets and the help of their central banks to devise programs to address health and economic crises.¹¹

Since reporting the first case, the coronavirus pandemic has had devastating effects that have resulted in untold pain and suffering both socially and economically. Two years later, as of March 10, 2022, globally, 450,229,635 people have been confirmed infected, 6,019,085 have died, and the number of vaccine doses administered numbered 10,704,043,684. In Kenya, on the same date, it is recorded that there have been 323,129 confirmed cases with 5,641 deaths and 16,786,825 vaccine doses administered.¹²

COVID-19 Containment Measures in Kenya

The government confirmed the first COVID-19 case in Kenya on March 13, 2020. The government swiftly securitized the spread by deploying containment measures anchored on a whole-of-government approach. To avert the existential threat that the spread of the pandemic posed, mitigating protocols focused on societal, economic, political, and security sectors.¹³ To a greater extent, these measures disrupted everyday life, livelihoods, businesses, and economic activities to a greater extent.¹⁴ The following restrictions were imposed immediately: the closure of educational institutions and places of

⁸ Bouri E, et al. Government responses to COVID-19 and Industry Stock returns’, Economic Research – Ekonomiska Istrazivanja, 2021.

⁹ Pragyan Deb, Davide Furceri, Jonathan D., Ostry, Nour Tawk. 2020. “The Economic Effects of COVID-19 Containment Measures.” The IMF Working Paper WP/20/158.

¹⁰ Ibid

¹¹ Ozili, Peterson. 2020. “COVID-19 in Africa: socio-economic impact, policy response and opportunities.” May 12. Accessed August 18, 2021. <https://www.emerald.com/insight/content/doi/10.1108/IJSSP-05-2020-0171/full/pdf>.

¹² Ibid Pg 1

¹³ Siddharth Sethi. What is security? Securitization Theory and its application in Turkey. 2015

¹⁴ Planning, the National Treasury and. 2021. The National Treasury and Planning. Accessed August 17, 2021. <https://www.treasury.go.ke/wp-content/uploads/2021/03/2021-Budget-Policy-Statement.pdf>.

worship; the closure of borders and suspension of international flights¹⁵ except for cargo; the evacuation of planes and the quarantine of returning residents upon arrival; the restriction of public transportation to a passenger capacity of less than 60%; the deferral of internal flights and passenger railway; and the total suspension of activities. was introduced, which occasionally restricted intra-county movement to and from areas declared hotspots. Non-pharmaceutical protocols enforced included wearing masks; washing hands facilitated by installing wash areas in public places; thermo temperatures administered before admission to buildings; social distancing; and introduction of the working from home concept.¹⁶

Additional initiatives undertaken by the government of Kenya aimed at equipping all county government hospitals with oxygen machines were crucial in administering COVID-19 treatment, converting public institutions to be utilized as health facilities for those infected, and providing funding to cater for health-related services and supplies to contain the spread of the pandemic.¹⁷ The discovery of a vaccine was timely, and Kenya administered its first batch of Astrazenca Vaccines on March 6, 202.¹⁸ As of March 10, 2022, 17,004,424 vaccine doses had been administered, out of which 7,776,554 were fully vaccinated.¹⁹ Due to the positivity rate remaining below 5% for the last few months and a record 1% since February 10, 2022, the government of Kenya, on March 11, 2022, eased the containment measures instituted two years prior. These include the suspension of the wearing of masks except in indoor meetings; the resumption of full capacity gatherings in places of worship; and public transportation, among others. The public is, however, encouraged to ensure they get fully vaccinated.²⁰

Challenges facing containment measures in Kenya

The outbreak of COVID-19 caught the country ill-prepared to handle the virus. The healthcare system was unwilling to have counties around the country inadequately equipped with material and human resources to handle

¹⁵ Victor Nechifor, Maria Priscila Ramos, Emanuele Ferrari, Joshua Laichena et al. "Food security and welfare changes under COVID-19 in Sub-Saharan Africa: Impacts and responses in Kenya", Global Food Security, 2021

¹⁶ Planning, the National Treasury and. 2021. The National Treasury and Planning. Accessed August 17, 2021. <https://www.treasury.go.ke/wp-content/uploads/2021/03/2021-Budget-Policy-Statement.pdf>

¹⁷ The Kenya Institute for Public Policy Research and Analysis. <https://repository.kippira.or.ke/>

¹⁸ WHO <https://www.medrxiv.org/>

¹⁹ Planning, the National Treasury and. 2021. The National Treasury and Planning. Accessed August 17, 2021. <https://www.treasury.go.ke/wp-content/uploads/2021/03/2021-Budget-Policy-Statement.pdf>

²⁰ Government of Kenya, National Emergency Response Committee on Coronavirus, Press Statement, 12 March 2022

COVID-19 cases. The apathy of health workers, especially in cases of inadequate and specialized COVID-19 protection gear, challenged the implementation of the containment of the spread. The cost of hospitalization was exorbitant, and many people died due to a lack of funds; for those who could afford it, the facilities were overcrowded in comparison to the number of people infected. Poverty was a challenge, especially for those in the informal settlements and the countryside who could not adequately adhere to the prescribed protocols of wearing masks, social distancing, and even washing hands where water is scarce. From this containment, an alarming rise of societal ills in gender-based violence, depression, and mental illness emerged.

Having securitized COVID-19 spread, the government sought to address the ailing health sector by prioritizing funding for containment efforts. To the dismay of all, there was misappropriation and outright looting of funding set aside for the provision of healthcare, leading to 'COVID millionaires.' Corruption has become rampant both at the national and county levels. The crackdown on curfew violators led to police brutality that resulted in the loss of lives; a case in point is the Kiambu brothers, who succumbed while in the hands of the police.

Socio-Economic Effects of COVID-19 Containment Measures

According to Development Initiatives, the economic implications of the pandemic are projected to have a significantly stronger long-term influence on the wellbeing of the population, poverty levels, and long-term health than the diseases' predicted fatalities.²¹ The recorded statistics indicate that the economy of Kenya grew by 4.9 percent during the first quarter of 2020 compared to the first quarter of 2019, with a growth of 5.5 percent. The poor performance during this quarter as a result of COVID-19 containment measures, which included restrictions on movement in and out of some countries; the closure of learning institutions; the closure of some businesses, particularly those involved in accommodation and food services; and the near cessation of international travel.²² As a result, most sectors of the economy declined, with the output being significantly hampered and, in some cases, coming to a total standstill.²³

One of these sectors adversely affected by the pandemic in Kenya is the tourism industry. There was a significant drop in revenue due to reduced demand for hotel activities resulting from the temporary closure of numerous

²¹ Owino E, Socio-economic Impacts of COVID-19 in Kenya, 19 June 2020

²² The Kenya National Bureau of Statistics. www.knbs.or.ke

²³ The National Treasury Kenya, Quarterly Economic and Budgetary Review. www.treasury.go.ke

hospitality enterprises through curfews that locked down communities, stay-at-home orders, travel limitations, and other COVID-19 flattening methods.²⁴ This led to the spiral effect of loss of employment, loss of income for service providers to the industry, and closure of businesses as seen by big establishments, for example, Intercontinental and Norfolk Hotels and Tin-Tin Restaurant. Kenya's tourism industry is a significant source of revenue and threatens to undo the progress made in recent years to revitalize it.²⁵

In education, the pandemic had a severe impact on the world's system, with the closure of schools, institutions, and colleges. Most governments across the globe temporarily closed educational institutions to stop the pandemic from spreading. As of July 27, 2020, roughly 1.725 billion students had been affected by school closures.²⁶ In Kenya, the government's containment measures resulted in the abrupt shutdown of schools and colleges on March 15, 2020, affecting almost 17 million students. Numerous economic and social issues arose due to this measure that led to interrupted and lost learning; educational exclusion; homelessness; nutrition; economic crisis; childcare challenges; increased pregnancy cases; financial cost implications for households; and sexual exploitation, to name a few.²⁷ The Ministry of Education announced on July 17, 2020, that the calendar year would be regarded as lost owing to the COVID-19 restrictions as the number of people afflicted with coronavirus reached over 8,000.²⁸

The swift spread of the COVID-19 pandemic around the world undoubtedly had a significant adverse bearing on the mental wellbeing of people, increasing the number of people experiencing stress, depression, anxiety, and suicidal tendencies. According to WHO, increased despair, suicide, and substance misuse have been forecasted. Quarantine, isolation, curfews, lockdowns, and travel restrictions used to combat the disease have resulted in lost revenue among households.²⁹ The stay-at-home directive had severe consequences in Kenya, leading to increased domestic violence and teen pregnancies.

²⁴ op. cit

²⁵ Mercyann Makumi Muragu, Israel Nyaburi Nyandera, Catherine Wanjiru Mbugua. "Gearing up for the new normal: Kenya's tourism sector before and after the COVID-19 pandemic." <http://eprints.usq.edu.ac>

²⁶ Kathuli, Dominiter Naomi. 2020. "Effect of COVID-19 Pandemic on the Education System in Kenya." *Journal of Education; Stratford*, Vol. 3 No.6 23.

²⁷ Jelimo Cathernt: Impact of COVID-19 on the right to education in Kenya, Hakijamii (2020). www.right-to-education.org

²⁸ Ministry of Educations Press Release, n.d. Ministry of Education. Accessed August 17, 2021. <https://www.education.go.ke/>.

²⁹ Florence Jaguga & Edith Kwobah. Mental health response to the COVID-19 pandemic in Kenya: a review *International Journal of Mental Health Systems* volume.

According to UN Women, 243 million women aged 15–49 have been victims of sexual and gender-based violence (SGBV)³⁰ by an intimate partner in the year since the pandemic began. In Kenya, evidence indicated that COVID-19 control measures escalated sexual assault against minors, mainly girls, with 13.5 percent of females and 2.4 percent of boys being sexually defiled before 17. Worryingly, the crimes were more likely to be committed by neighbors during the pandemic than previously and occurred in the perpetrator's home (65%).³¹

Mitigation of the Social Economic Effects of COVID-19

To mitigate the effect of the socio-economic status, the government of Kenya, on May 23, 2020, put in place an Economic Stimulus Programme that set aside Kshs.53.7 billion in select sectors with the view of revamping the economy. The 8-Point Stimulus package allocated funding in the following areas: Kshs.5 billion in the Infrastructure Sector for hiring local labor to repair access roads and footbridges; Kshs.6.5 billion for hiring 10,000 ICT interns to support digital learning, as well as the Ministry of Education's purchase of 250,000 locally produced desks; Kshs.10 billion to Small and Medium Term Enterprises (SMEs) to expedite payment of outstanding VAT refunds and other pending payments³²; Kshs.3 billion as seed capital for the SME Credit

To enhance the economy's resilience to full recovery, the Government of Kenya, in March 2021, launched the national COVID-19 vaccinations after receiving 1.1 million doses of the AstraZeneca vaccine from the COVAX facility, vaccinating one million people by May 2021, with priority given to frontline health workers.³³ Further, the government acquired additional vaccines from Johnson & Johnson to supplement AstraZeneca vaccines, setting aside KShs. 14.3 billion in FY 2021/22 to purchase COVID-19 vaccines. This enabled the creation of herd immunity against COVID-19, allowing the resumption of complete economic activities. Additionally, universal health care coverage was enhanced and implementation up-scaled in the 47 counties by allocating Kshs. 47.7 billion in FY 2021/22 to support the response to the pandemic and improve health outcomes.³⁴

³⁰ Laura M. Stevens, James C. Rockey, Sarah R. Rockowitz, Wangu Kanja, Melissa F. Colloff, Heather D. Flowe. "Children's Vulnerability to Sexual Violence During COVID-19 in Kenya: Recommendations for the Future", *Frontiers in Global Women's Health*, 2021

³¹ Ibid

³² The Kenya Institute for Public Policy Research and Analysis. <https://repository.kippra.or.ke/>

³³ op. cit

³⁴ Ibid Pg.6

Conclusion

The outbreak of the COVID-19 pandemic sent shock waves around the world due to the existential threat that it posed. The WHO has ably led the containment process in spreading the virus and producing a vaccine to protect the population. Countries like Kenya have adopted additional health protocols to those prescribed by WHO. These COVID-19 containment measures reduced the positivity rate in two years to 1%. However, challenges were recorded in implementing the containment measures addressed and served as lessons moving forward. There were notable effects of the containment measures and mechanisms established by the government to address the same.

Policy Recommendations

The outbreak of COVID-19 and the containment of its spread posed an existential threat to the world, resulting in the neo-colonialism exhibited toward the African continent in the distribution of COVID-19 vaccines. The key recommendation is to establish an African solution to African problems by constructing a vaccine manufacturing plant on the continent. Kenya has made strides by partnering with Moderna to build a vaccine plant in the country, and this should be fast-tracked. A similar laboratory is to be established in the level six facility under construction by the Kenya Defence Forces to secure the country against current and future threats posed by pandemics and other forms of bioterrorism.

Secondly, resulting from the rise of mental health illness, adequate funding should be made available to establish and adequately equip recovery centers, and capacity should be built for mental health workers to mitigate and demystify mental health illness. Finally, the rule of law should be upheld, and political goodwill used to handle the menace of corruption in all sectors to secure the country for our future generations.

AN ADVANCING DEVELOPMENTAL STATE A CASE STUDY OF MANGO FRUIT VALUE ADDITION IN KENYA

Mr. Geoffrey Malombe, HSC - The National Treasury

Abstract

The need for mango fruit value addition is vital to increase the contribution to the economy of horticultural exports, foreign exchange earnings, and employment creation in Kenya. Utilizing secondary sources, journals, government reports, the internet, and other media sources, this paper seeks to apply Developmental State Theory to help explain the need for mango fruit value addition in Kenya. It examines how other emerging and newly industrialized countries, such as Malaysia, Taiwan, and China, among others, adopted state-led support, incentives, and protectionist measures to develop their agriculture sector, particularly horticulture, through value addition, having been at the same level of development as Kenya in the 1960s. The article points out that there is a need for the government to put in place policies to support value addition in horticulture, particularly mangoes, and protect the sector while providing an enabling environment to realize its full potential for the domestic and export market.

Introduction

In Kenya, the agriculture sector employs over 40 percent of the total population both directly and indirectly and contributes approximately 33 percent of the Gross Domestic Product (GDP).¹ The agriculture sector's contribution to economic development is significant and supports the livelihoods of more than 40 percent of Kenyans employed in the agriculture sector.² The agricultural sector is critical in achieving poverty alleviation targets for the Sustainable Development Goals (SDG) and is in line with Vision 2030, the Medium Term Plan III, and other government policies such as the National Food and Nutrition Security Policy Implementation Framework 2017–2022.³

¹ Ministry of Agriculture (June, 2017) : National Food and Nutrition Security Policy Implementation Framework 2017 – 2020 (pp3-4): The direct contribution to GDP is 26 per cent and indirect contribution to GDP is 26 percent

² <https://www.usaid.gov/kenya/agriculture-and-food-security> accessed on 17.08.2021

³ Ministry of Agriculture (June, 2017) : National Food and Nutrition Security Policy Implementation Framework 2017 – 2020 (pp2-6).

In collaboration with non-state actors, the government has continuously supported the growth and diversification of high-value agricultural produce, especially horticultural crops and fruits like the mango fruit. According to Agwu et al., 2015 and Salvioni et al., 2020, boosting farmers' income can only be achieved through value addition.⁴

The largest sub-sector of agriculture in Kenya is horticulture, which contributes about 33 percent of the agricultural contribution to Kenya's GDP.⁵ Vegetables, fruits, flowers, nuts, and medicinal and aromatic plants are the five commodities supporting the horticulture industry and contribute 44.6%, 29.6%, 20.3%, and 5.8%, respectively.⁶ Small-scale farmers produce approximately 50–60% of the total horticultural production. The post-harvest wastage of the mango fruit is between 40 and 45% of the total crop or even higher, given that farmers sell the mango fruits at throw-away prices to mediators.⁷ Whereas 95% of the horticultural production that is not lost due to post-harvest losses is consumed in the domestic market, 5% is exported. In 2015, the domestic horticulture consumption value was Kshs. Two hundred eleven billion (the US \$2.1 billion), and it is the second biggest foreign exchange earner for the country, with the European Union being the major destination.⁸ Therefore, this paper attempts to address the gap of post-harvest losses of horticultural produce, particularly mango fruits in Kenya, to reduce the losses and increase return on investment and income for the mango farmers in Kenya.

The government has also identified manufacturing as a Big 4 agenda policy issue, which resonates well with horticultural fruit value addition. This is aligned with the current government policy on manufacturing and food security. The horticultural sector has both forward linkages such as distribution, transport, and marketing and backward linkages through agrochemical companies and outlets, seed companies, and horticultural farmers, both of which create employment and contribute to the country's economic growth. The main goals of horticultural fruit value addition are to support the horticultural sector, create employment and optimize farmers' investments through better returns on investment.

This article focuses on value-added processing of mango fruit during the

⁴ Agwu, N. M., Anyanwu, C. I., & Kalu, U. H. (2015). Factors influencing cassava value addition by rural agribusiness entrepreneurs in Abia state, Nigeria. *Agriculture and Rural Development*, 15 (3), pp19–24.

⁵ Ministry of Agriculture (June, 2017): National Food and Nutrition Security Policy Implementation Framework 2017–2020 (pp-2-10).

⁶ Ministry of Agriculture: National Horticulture Policy (June, 2012), Nairobi – Kenya (pp1-3).

⁷ Ibid

⁸ <https://includeplatform.net/wp-content/uploads/2019/08/Creating-employment-in-horticulture-sector-in-Kenya-Productivity-contracting-and-marketing-policies.pdf> (pp 1-2).

development cycle until ripening. Mango fruit processing and value addition into various products, which can be utilized as mango powder, pickle, and chutney. In addition, mango fruits can be processed into various beverages such as mango juices, nectar, packaged sliced mango fruit, or dried mango.⁹ The main benefits of mango fruit value addition through processing are to reduce post-harvesting losses; provide safe, clean, and high-quality mango fruit products to serve various niche market segments; increase the shelf life through preservation; while increasing the return on investments to both farmers and investors in the entire mango fruit value chain; create employment.¹⁰ Therefore, mango fruit processing and value addition entail measured strategic actions aimed at generating higher returns, creating and sustaining new markets, producing customer-centered products for both domestic and export markets, and reducing farm-level wastage due to post-harvest handling. It should also be appreciated that small-scale farmers are at low levels of value-adding practices in Kenya.¹¹

Unemployment remains a major challenge in rural areas, particularly arid and semi-arid counties, where the mango fruit can be grown with the support and intervention of the state. The post-harvest wastage of the mango fruit is between 40 and 45% of the total crop or even higher, given that farmers sell the mango fruits at throw-away prices to intermediaries. It is therefore vital for the government to roll out targeted developmental state programs to support mango value addition through processing. The leadership of both national and county governments should focus on programs that support socio-economic growth, create employment, and increase the return on investments for farmers. In addition, the government should put in place targeted fiscal measures to support foreign direct investments in mango fruit value addition through processing, either via tax incentives or rebates, and also support the export of mango products to earn more foreign exchange.

Theoretical Framework

The case study adopts Developmental State Theory in explaining the existing relationship between mango fruit processing value addition and the role of the government. Chalmers Johnson argues that accelerated economic growth in Japan after World War II was fueled by targeted state interventions, which were efficient and consistent, and the bureaucratic system had the capacity to deliver

⁹ Ministry of Agriculture: National Horticulture Policy (June, 2012), Nairobi – Kenya (pp20-52).

¹⁰ Ibid (pp 2-4)

¹¹ Ntale, J., Anampiu, R., &Gathaiya, C. (2015). Agro-entrepreneurship readiness model: an empirical investigation in Kenya. *International journal of development and sustainability*, 4(7), (pp825-839).

them. According to Chalmers, a state is considered developmental if it has put in place a legitimate framework for stimulating and sustaining development to achieve consistently high rates of economic growth and structurally reform the productive systems of a country.¹² The developmental state theory will help to describe the statecraft in the government's application of developmental state theory to targeted investments to spur socio-economic growth.

The Role of Mango Fruit Value Addition in Economic Development

The horticulture sector is an important sector in the economic development of Kenya. The sector is the second largest contributor to foreign exchange after tourism. However, this sector is facing some challenges that require government intervention. There is evidence that with an increase in productivity, agricultural product prices fall faster than their yields rise, including in the horticulture sector.¹³ Accordingly, to support the agricultural sector, particularly the horticulture sector, and promote the return of investments by farmers through increased incomes, it is imperative for the government to deliberately target to develop, industrialize, protect, support, and subsidize the horticulture sector in the same vein as most developed nations have done in the agriculture sector, including the horticulture sub-sector.¹⁴ The adoption of the Developmental State method to support the horticulture sector, particularly mango fruit value addition, by subsidizing the entire mango fruit value chain, providing tax exemptions for both machinery and equipment for mango processing, and providing other fiscal incentives to investors. For instance, Makueni County Government, through its developmental state approach, enacted the Makueni County Fruit Development and Marketing Authority Act, 2017, which established the Makueni Fruit Processing Plant in Kalamba, Makueni, to ensure the value addition of mango fruits, increase the farmers' income and return on investment and create rural employment.¹⁵ The policy intention of establishing the Makueni Fruit Processing Plant is aimed at reducing post-harvest losses of mango fruits and improving incomes for small-scale farmers in Makueni.¹⁶ The devolved system of governance has taught us that the developmental

¹² Litonjua, M. (2001). The State in Development Theory: The Philippines under Marcos. *Philippine Studies*, 49 (3), 368-398. Retrieved August 17, 2021

¹³ Hongzhou, Zhang. Report. S. Rajaratnam School of International Studies, 2012. Accessed August 18, 2021. <http://www.jstor.org/stable/resrep17187>.

¹⁴ Ibid (pp25-30)

¹⁵ Kenya Law Reporting (2017). Makueni county Fruit Development and Marketing Authority Act. 2017.

¹⁶ Maarifa Centre (2020). Makueni Diversifies Fruit Value Addition to Enhance Production on the

state approach can be used effectively for value addition, reducing post-harvest losses, industrializing rural areas, reducing rural-urban migration through job creation, and improving farmers' income and return on investment.

Agriculture investments, particularly in the horticulture sub-sector, are key drivers of socio-economic development growth in both developed and developing countries, as evidenced by the economies of newly industrialized Asian countries such as China, Japan, and Taiwan.¹⁷ The agriculture sector plays a vital role in nation-building and healthy economic development in supplying food to the market, labor to industries, industrial production of raw materials, exporting commodities, improving return on investments, and foreign exchange earnings, according to modern development economists, and raising farmers' income.¹⁸

The need for government intervention in all areas of mango fruit value addition, including fiscal incentives such as tax breaks, tariffs, and non-tariff benefits, bond manufacturing, and lower prices for the entire mango fruit value chain, is the norm, as in most developed countries, mango fruit import bans, export promotion of mango fruit products as part of foreign economic policy, and the establishment of rural-based mango fruit industries, among other things. For instance, developed countries have ignored the free enterprise theory advanced by economists such as Keynes, while Developmental State Theory is being applied to advance their agricultural production.¹⁹ The Chinese government started protecting and subsidizing the agricultural sector in the year 2004.²⁰ Furthermore, at the national level, the county governments of Embu and Makueni in Kenya have organized farmers into cooperative societies to eliminate go-betweens and increase competition. The county governments have supported cooperative societies with the initial seed capital to ensure farmers are paid for their produce on delivery to the cooperative society.²¹ This should be a government priority due to its immense benefits for employment creation due to forward and backward linkages, the setting up of manufacturing plants in rural areas, curbing rural-urban migration, increasing food and nutrition security, and enhancing national security.

Processing Plant and Catalyse the Rural Economy. <https://maarifa.cog.go.ke>.

¹⁷ Huang, Jikun, KeijiroOtsuka, and Scott Rozelle. *The Role of Agriculture in China's Development: Past Failures; Present Successes and Future Challenges*. Working Paper, Stanford: Stanford University, 2007

¹⁸ Hongzhou, Zhang. Report. S. Rajaratnam School of International Studies, 2012. Accessed August 18, 2021. <http://www.jstor.org/stable/resrep17187> (pp8-12).

¹⁹ Ibid (pp26-27)

²⁰ Ibid (pp22-29)

²¹ Maarifa Centre (2020). *Makueni Diversifies Fruit Value Addition to Enhance Production on the Processing Plant and Catalyse the Rural Economy*. <https://maarifa.cog.go.ke>.

The consumers of fruits are citizens who are looking for high-value non-staple foods that are of high quality, processed, and safe. Therefore, value addition to this category of non-staple foods such as fruits and vegetables will appeal more to the middle class, who have more disposable income, given they are more worried about the quality and safety of the processed mango fruit products. Consequently, more investments will be required for the processing of various food crops, fruits, and vegetables to meet customer demand and taste. Industrial capacity to process horticultural products will have to be expanded in order to respond to the increased production and consumer demands both in the domestic and export markets. More jobs will be created due to forward and backward linkages to the horticulture sub-sector, and better returns on investment in the entire value chain will be realized. To meet the tremendous growth in the horticulture sector, the expansion of food processing capacity will be unavoidable, necessitating additional investments to fund horticultural farming, particularly of mango fruits.²²

Kenya is the third-largest producer of mangoes in Africa as well as the 3rd largest exporter of mangoes in Africa.²³ To increase its contribution to socio-economic development, the government should take the lead in supporting production expansion, increasing the value-adding of mango fruits, and supportive domestic and foreign economic policy frameworks. This strategic intervention will require efficient, consistent, skilled, and competent government leadership to ensure good governance in the entire value chain of the horticulture sector, particularly with the mango fruit.

Conclusion

This article has tried to cross-examine the case for mango fruit value addition. The elucidation has been anchored on the perspective of Developmental State Theory. It is obvious that Developmental State Theory requires the government to have specific targeted horticulture sector interventions, particularly the mango fruit value addition development strategy, that are efficient, effective, consistent, and led by competent and skilled government officials.

The article has demonstrated that the horticulture sector, and in particular the mango fruit value addition, can be achieved through the support and guidance of the state. It believes that the state should take the lead in supporting the growth of the mango fruit value chain, including processing, in order to drive increased productivity and better returns on investments by farmers and

²² Ibid (pp18-30)

²³ Food and Agriculture Organization (2021). Major Tropical Fruits: Preliminary Results 2020. Rome, Italy.

others in the value chain through all conceivable means, including but not limited to fiscal incentives, tariffs, and domestic market protection measures, as is done in emerging and developed countries.

The government should prioritize investments in the horticulture sector by leveraging the tropical climate and the rain-fed production of mango fruits in arid and semi-arid lands to turn these regions into economic engines of the state and spur economic growth. It has been demonstrated that mango fruit processing and value addition have both forward and backward linkages that need to be harnessed. They have huge potential to earn foreign exchange, set up industries in countries, and create employment. It concludes that Kenya will immensely benefit through investments in mango processing and value addition by turning arid and semi-arid lands into productive economic drivers of the economy.

Finally, the article recommends that the application of the developmental state theory to support socio-economic growth in the horticulture sector, particularly in mango value addition through processing, will require government-subsidized loans, fiscal incentives on mango fruit processing machines and equipment, import protection measures of processed mango fruit products, and promotion of exports of mango fruit value-added products for a particular period by putting in a place foreign economic policies that go beyond trade policies. In addition, there is a need for fruit diversification to ensure the production plants are occupied throughout the year.

THE CHALLENGES OF FOOD SECURITY IN KENYA

Mr. Mohamed A. Mohamed - Kenya Forest Service

Abstract

About half of Kenya's estimated 48.5 million people are poor, and some 7.5 million live in extreme poverty. Food security is one of the most challenging issues in sub-Saharan Africa and has continued to generate debate. In 2008, the GOK launched Kenya Vision 2030 as the new long-term development blueprint for the country, focusing on creating a "globally competitive and prosperous country with a high quality of life by 2030". The Vision also aspires to make Kenya "a newly industrializing, middle-income country that provides a high quality of life to all its citizens in a clean and secure environment." Official estimates indicate over 10 million people are food insecure, with the majority of them living on food relief. Households are also incurring huge food bills due to the high food prices. Maize, being a staple food due to food preferences, is in short supply and most households have limited choices of other food items. The national food and nutrition security policy recognizes food security as a national security issue. The study's general objective is to highlight the implications of food insecurity on household livelihoods and provide mitigation measures. Therefore, when Kenyans suffer from hunger and malnutrition, peace cannot be guaranteed and may lead to food riots or our youth being targeted by politicians during the electioneering period and used to intimidate opponents.

Introduction

The study will be guided by dependency theory. Dependency theory is a body of social science theories predicated on the notion that resources flow from a "periphery" of poor and underdeveloped states to a "core" of wealthy states, enriching the latter at the expense of the former. It is a central contention of dependency theory that poor states are impoverished and rich ones are enriched by how poor states are integrated into the "world system." Dependency theory arose around 1970 as a reaction to modernization theory, an earlier theory of development that held that all societies progress through similar stages of development and that today's underdeveloped areas are thus in a similar situation to that of today's developed areas at some time in the past, and that therefore the task in helping the underdeveloped areas out of poverty is to accelerate them along this supposed common path of development, by various

means such as investment, technology transfers, and closer integration into the world market.¹

Over half of Kenya's estimated 48.5 million people live in poverty, with 7.5 million in extreme poverty and more than 10 million suffering from chronic food insecurity and malnutrition. It has been projected that approximately two million individuals need food aid at any one time. In Kenya, economic performance directly impacts people's food security and nutrition status. Still, it is recognized that improving economic status alone is not enough to guarantee nutrition security. Kenya's economy has improved in recent years, offering new opportunities to improve food security and nutrition. In 2005, the economy expanded by 5.8%, and in 2006, it expanded by 6%. As a result, the absolute poor dropped from 56 percent to 44 percent., from 46% in 2006 to 36.1% in 2015/2016.

Food security and nutritional status

Food security is one of the most difficult challenges in Sub-Saharan Africa. According to a plethora of studies, Africa is the only continent where per capita food output has decreased. Many people in poor countries are hungry due to a lack of food. Insufficient dietary intake affects about 700 million people worldwide, including over 100 million on the African continent.

Perceptions of food security have shifted throughout time, and definitions have shifted along with them. In recent years, household access to accessible food has received more attention than production and food security. As it's been termed by Amartya Sen², the focus on food availability is due to the recognition that increased national food production in the past has not necessarily translated into increased local food production. As a result, food security is now widely accepted as a phrase that covers both food supply and demand concerns.³ As a result, there are two key components to the concept of food security. The first is food availability. The second is people's access to food, which is determined by their purchasing power from a market or financial outlays and other resources to cultivate it.⁴ Food shortages (i.e. food insecurity) can be either short-term (transitory) or long-term (permanent)

¹ Cardoso, F. H. and Faletto, E. (1979), 'Dependency and development in Latin América'. University of California Press

² Amartya Sen (1981): "Cash or Food Aid? A General Equilibrium Analysis for Ethiopia," Development Policy Review 24(5):601–624.

³ Webb, P., & Braun, J. V. (1994). *Famine and food security in Ethiopia: lessons for Africa*. John Wiley & Sons Ltd.

⁴ Bouis, H., Haddad, L., & Kennedy, E. (1992). Does it matter how we survey demand for food? Evidence from Kenya and the Philippines. *Food Policy*, 17(5), 349-360.

(chronic).⁵

It is possible to argue that poverty or a lack of a consistent source of money is the primary cause of food insecurity. As a result, micro-level food security addresses the threat of people and families running out of food.⁶

As a result, macro-level food security refers to a country's capacity to store enough food to meet its needs. Many governments' planning and policy-making efforts are hampered by a lack of such information.⁷ One of the primary elements that influence a household's capacity to get enough food throughout the year is its ability to generate or purchase food. Kenya, for example. When land is limited, a household's labor resources influence the amount of money generated from work to get food.

If a family relies on food markets for sustenance, it will need to find more funds elsewhere. This might be done by selling its product once it has been harvested. Its members can also earn extra money by working on or off the farm and/or participating in non-farm activities on the farm.

If a family raises income crops, their money must be spent on food. The market's characteristics will determine the types, quality, and amounts of food available at markets.⁸ To fully comprehend the impacts of food markets, it is necessary to investigate disparities in the food security status of families in locations with varying degrees of infrastructure development. In addition to food intake and expenditure on food and non-food goods, differentiation in crop and livestock production and income-generating activities, which will be impacted by infrastructure, will also contribute to household food security.

Kenya Vision 2030 was launched by the GOK in 2008 as the country's new long-term development strategy, with the goal of making Kenya a "globally competitive and prosperous country with a high quality of life by 2030." According to the Vision, Kenya will also be transformed into a "newly industrializing, middle-income country that provides a good quality of life to all of its inhabitants in a clean and safe environment."⁹

The government is in the process of completing the Agricultural Sector

⁵Oluoch-Kosura, W., & Kilungo, J. K. (1992). Kenya's efforts towards attainment of food self-sufficiency. *Medicus (Nairobi, Kenya)*, 11(11), 22-26.

⁶Webb, P., & Reardon, T. (1992). Drought impact and household response in East and West Africa. *Quarterly journal of international agriculture*, 31, 230-230.

⁷Babu, S. C., & Mthindi, G. B. (1994). Household food security and nutrition monitoring: The Malawi approach to development planning and policy interventions. *Food Policy*, 19(3), 272-284.

⁸Oluoch-Kosura, W., & Kilungo, J. K. (1992). Kenya's efforts towards attainment of food self-sufficiency. *Medicus (Nairobi, Kenya)*, 11(11), 22-26.

⁹Islam, N. (1988), "Agricultural growth, technological progress, and rural poverty", in Lewis, J.P. (Eds), *Strengthening the Poor: What Have We Learned?* Transaction Books in co-operation with the Overseas Development Council, New Brunswick.,

Development Strategy, given the importance of the agricultural sector in the economy (ASDS). The overarching goal of this plan is to strategically position agriculture as a key engine for reaching the 10% annual economic growth rate targeted in the Vision 2030 economic pillar. The ASDS aspires to develop the agriculture industry into a lucrative economic activity capable of attracting private investment and providing people with meaningful employment. The agriculture sector's primary goal will be to attain national food security. In this context, food security is defined as "a situation in which all people, at all times, have physical, social, and economic access to sufficient, safe, and nutritious food which meets their dietary needs and food preferences for an active and healthy life" (Kenya Food Security Steering Group, 2020). The country has been dealing with significant food insecurity issues in recent years, particularly after 2008. A large part of the population lacks access to adequate food in the correct quantities and quality. According to official estimates, about 10 million people are food insecure, with the majority relying on food assistance. Households are also facing massive food costs as a result of rising food prices. Due to food preferences, maize, which is a basic grain, is in low supply, and most households have limited options for other foods.

Several factors are to blame for the current food insecurity problems, including frequent droughts in most parts of the country; high domestic food production costs due to high input costs, particularly fertilizer; displacement of a large number of farmers from high-potential agricultural areas following the post-election violence in early 2008; and high global food prices. The current COVID-19 pandemic has also affected many household livelihoods.

The right to food, which is subtly laid out in articles 43 and 53, is one of the benefits of a new constitution for Kenyans. This means Kenya has joined a group of over 20 countries around the world that recognize food availability and accessibility as a basic right for all citizens.¹⁰

To increase the food supply, we must seriously explore adopting genetically modified organisms. This can only be achieved if all people have physical, social, and economic access to sufficient, safe, and nutritious food that satisfies their dietary needs and food choices at all times in order to live an active and healthy life.¹¹

Increased food production relies heavily on the availability of water. Around 90% of Kenya's cropland is dependent on rainwater. Unfortunately, climate change is harming this once-reliable source of water on three fronts: reduced

¹⁰ Shuttleworth, G., Bull, R., Hodgkinson, P. (1988), "Food security through seasonal stabilization: the case of Madagascar", *Food Policy*, Vol. 13 No.2, pp.140-53.

¹¹ Pinstrup-Andersen, P. (1994), "Assuring household food security in the Third World: what the United States can do", *International Food Policy Research Institute*, No.287, Washington, DC.

overall rainfall, irregular and unpredictable rainfall, and receding groundwater tables. Crop yields and livestock production will undoubtedly suffer as a result of these factors. As a result, it is past time to increase investment in the building of new dams and water pans around the country in order to enhance water availability. It is the government's, both national and county, responsibility to fulfill the COK 2010 (43(1) C) obligation that every person has the right to be free of hunger and to have sufficient food of acceptable quality.

Required Strategic Interventions to Avert the National Food Security Crisis

The government should employ the existing cordial diplomatic relations within the region and internationally; use the available information locally, regionally, and internationally; mobilize domestic and external resources, and use them when necessary to support any measures put in place by the government to achieve the desired policy objectives. The government should:- Enhance emergency preparedness and response capacity at both levels of government; protect vulnerable Kenyans likely to suffer food insecurity, and enhance storage facilities at household, county, and national levels;

Strategies to Mitigate Food Insecurity

The government will implement various short, medium, and long-term national and sectoral strategic interventions to intervene and mitigate food insecurity in order to protect, safeguard, and secure our most vulnerable population while also preparing, responding, and building resilience to the looming national food security threat to our great nation and vulnerable communities.

Agricultural Sector. In the agriculture sector, the following measures need to be put in place: pest and disease control, as well as the supply of agricultural inputs such as seeds and fertilizers, as well as subsidized mechanical services, such as post-harvest management; revamping; development and application of improved technologies in agricultural production; adequate maize in Strategic Grain Reserves to be revamped (SGR); and the introduction of warehouse receipting systems for price stabilization through NCPB.

Livestock Sector. The livestock sector ought to strengthen and encourage vaccination, monitoring, treatment, capacity development, pasture production, animal feeding, breed improvement, degraded land reseeding, restocking, livestock insurance, and commercial livestock offtake. There is also a need for revamping, developing, and application of improved technologies in livestock

production and the provision of water for livestock.

Water Sector There is a requirement to enhance water harvesting and storage in all the affected regions and mobilize relevant government institutions towards this end; repair, rehabilitate, extend and maintain existing water structures and systems; and promote rainwater harvesting and technology through the construction of new water harvesting facilities such as earth dams, water weirs, underground water storage tanks, and shallow dams.

Education sector. There is a need to upscale school feeding programs, water provision to schools, and bursary support for the most vulnerable pupils; revamp the mobile school program to ensure normed children are able to access primary and secondary school education during migration by parents in search of livestock pastures; provide a comprehensive policy for parents to pay school fees through the supply of specified food items to school, and install water tanks and encourage water harvesting in schools.

Public Administration and Security Sector. The sectors should provide an economic stimulus package across the affected areas to support some of the mitigating measures; promote national food availability and access via strategic food trade liberalization and engagement of the private sector; enhance peace-building efforts to settle resource conflicts, as well as monitoring of possible conflict hotspots and reaction assistance; and increase budgetary allocation to the affected sectors in the next two financial years to deal decisively with the national food security threat, commencing this year. There is also a need for improving smallholder farmers' and micro-entrepreneurs access to credit, insurance, and other financial services; small and medium enterprises involved in the supply chain; and the revamping of all regional NCPB facilities with assorted food items in advance for better coordination during the assessment period.

LESSONS LEARNT SINCE THE COVID-19 OUTBREAK IN AFRICA

Sophia M Amboye – Ministry of Foreign Affairs

Abstract

It is now two years since the worldwide spread of the COVID-19 pandemic brought about as a result of severe acute respiratory syndrome coronavirus 2 (SARS-Cov-2) struck. Although there have been pandemics and epidemics befalling different parts of the world at other times, nothing can be compared to what has been witnessed with the Coronavirus. No country was spared the ravages of the pandemic. The world came to a standstill. New norms were developed, and many lessons were learned. This paper looks at some of the outbreaks of epidemics/pandemics that have occurred in history globally and tries to answer the question: Are there any lessons that Africa, as a continent, has picked up that may be useful for the future?

Conceptual Framework

There is a positive and significant relationship between COVID-19 and innovation. A conceptual framework of relation between COVID-19 and innovative strategies was developed. The proposed framework was then tested using Structural Equation Modelling theory with secondary data collected from Africa.

Introduction

A disease is considered to be an epidemic when it occurs on an extensive scale, crosses international boundaries, and usually affects many people on a global scale. In the twenty-first century, the world has experienced a number of epidemics such as Human Immunodeficiency Virus (HIV), Ebola, Plague, Avian Influenza, Cholera, Coronavirus, Zika virus, COVID-19, among others. The Coronavirus disease has persistently continued to spiral at the local, national, regional, and global levels. To understand whether there are any lessons learned from the various pandemics that have occurred, a conceptual framework of relation between COVID-19 and innovative strategies was developed. The proposed framework was then tested using Structural Equation Modelling theory with secondary data collected from Africa.

In accordance to the World Health Organization (WHO), the Virus is

believed to have zoonotic origins and has close genetic similarity to bat coronaviruses, suggesting it emerged from a bat-borne virus.¹ It is worth noting that the first outbreak of COVID-19 was identified in the month of December 2019 in Wuhan province of China.² In January 2020, the WHO pronounced the disease a Public Health Emergency.³ Currently, there is no evidence that intermediate animal hosts, such as pangolins, are related to their introduction into humans. The WHO, the number of infections globally has surpassed one million while deaths are above 59,000.⁴ This requires urgent intervention with the focus on containing the spread.

Background of the Pandemic

The upsurge of the Coronavirus in Wuhan, China, in December 2019, spreading out globally, took the world by an unprecedented storm. No country was spared the ravages of the COVID -19 pandemic. A number of other diseases had hit the world before.⁵ These included SARS, Bird Flu, Ebola, and HIV Aids. None of these had the impact that the Covid-19 had on all aspects of the life, including socially, economically, psychologically, and culturally.⁶

The COVID-19 pandemic changed life completely, significantly transforming what may be considered priorities of life. The number of COVID-19 cases reported is 8 to 9 times the number of SARS cases. A lot of effort is being made by countries to immunize their populace in order to drive down contaminations and keep variations under control in order to bring back some form of normalcy. The disease is mainly transmitted via the nose and mouth discharges, including tiny droplets produced when an infected person coughs, sneezes, exhales or is talking. It is believed that the clearance does not usually travel through air over a long distance. People can also become infected by touching their faces, nose, and significant sinuses after touching contaminated surfaces.

The big question remains to be: what lessons have been learned since the outbreak of the COVID -19?

A person can be infected by inhaling the Virus if one is in close proximity

¹Mwendwa, Willy. *The Covid19 Pandemic*. Youth Journal, Nairobi Press, Nairobi County, Kenya, (2019), p. 1.

²Henley, Jon. *More than 250m in lockdown in EU as Belgium and Germany adopt measures*. The Guardian, (2020), pp. 3-7.

³World Health Organization. *Covid-19: Pandemic Report*, United Nations, (2020)., pp. 10-12

⁴Henley, Jon. *More than 250m in lockdown in EU as Belgium and Germany adopt measures*. The Guardian, (2020), pp. 3-7.

⁵Matel, Phillip. *Philippines converts sports stadiums to combat covid-19*, ESPN, USA, (2020), pp. 3-4.

⁶Ibid, (2020), p. 7.

RANK	EPIDEMIC/ PANDEMIC	DISEASE	DEATH TOLL	DATE	LOCATION	LEASONS/LEARNT
1.	Black Death Bubonic	Bubonic Plagagiere	75-200m	1346-1353	Europe, Asia and North Africa	The shortcomings for surgical societies in ancient Europe which provided an impetus for development of new therapies.
2.	Spanish flu	Influenza A/H	1700-100M	1918 – 1920	Worldwide	The implementation of hospital sanitation and public health measures remains the basis of modern surgery today after the witness of the 1918 Spanish Flu pandemic.
3.	HIV/AIDS Pandemic	HIV/AIDS	35 million (As at 2018/)	1981 - Present	Worldwide	The HIV/AIDS epidemic spread ethical controversy over the responsibility of surgeons to treat patients at the risk of their own health.
4.	Covid -19 pandemic	COVID -19	4,493,941 Million (as at 29 th August 2021)	2019 to present	Worldwide	Ongoing
5.	Western Africa Ebola Virus	Ebola	7018	2013-2016	Primarily in Sierra Leone, Guinea, Liberia DRC/ Uganda	The West Africa Ebola epidemic revealed the vulnerability surgeons face in underutilised healthcare facilities. There was also criticism by the Médecins sans Frontiers who were the frontline care givers accusing the authorities where the disease was prevalent of hiding and the World Health Organization of being vague about the disease.
6.	Ebola	Mweka Ebola Epidemic	1187	2007	DRC	As indicated above on the Ebola

RANK	EPIDEMIC/ PANDEMIC	DISEASE	DEATH TOLL	DATE	LOCATION	LEASONS/LEARNT
7.	Russian Flu	Influenza A Virus Subtype H1N1	700,000	1977-79	Worldwide	
8.	SARS Outbreak	Severe acute respiratory Syndrome (Sars)	774	2002-2004	Worldwide	The SARS outbreak showed that the systems response to highly infectious diseases must be flexible. The abolition of elective surgery and the implementation of improved personal protective equipment highlight the importance of adoptive infection control measures.
9.	Swine Flu		Appr. 284000	2009	Worldwide	
Source: Economics in the time of COVID-19.						

to someone who has the COVID-19.⁷ The Virus keeps mutating into various strands, with the delta variant now manifesting in India and also spreading widely across continents. It is thus noted that the COVID-19 pandemic in Southeast Asia is considered part and parcel of the ongoing global pandemic of the Coronavirus 2019 caused by the severe acute respiratory syndrome.⁸ It was first confirmed to have spread to Southeast Asia on January 13, 2020, when an alleged sixty-one-year-old lady from Wuhan tested positive in Thailand. This made it the first state besides China to report its case.

The reactions to the worldwide Coronavirus have introduced exciting responses, including the importance of the everyday freedoms of all individuals throughout the planet. As nations recognize and adopt approaches to address Coronavirus, incorporating common liberties assurances and certifications into our common reactions isn't just an ethical objective, it is fundamental to effectively tend towards a public health Constitution of a holistic government approach to deal with emerging issues and have one command center in which information comes in and goes out.

It is worth noting that across Africa, various agencies are not very active on issues related to pandemics, especially in the case of COVID19. This may be because the military is sometimes not designed to cope with the scale of large-scale epidemics like the Coronavirus. Despite this, the military still has the ability to introduce significant experience and capabilities, including disaster planning, military command, control, logistics, surveillance, and professional medical support.

The Virus has made many countries in this region re-evaluate their priorities and thus began the processes of revamping their health sectors. It has also led to the building of health infrastructure at massive scales and also other related industries, like mask-making factories and protective clothing industries. The level of trade reduced simultaneously in all the nations and all products at speed never before witnessed. Economics in the time of COVID-19, which were interlinked through cross-border flows of goods, services, know-how, people, financial capital, foreign direct investment, international banking, and exchange rates, was also greatly affected.

The outcomes of the economic suffering globally of the COVID- 19 pandemic are as severe as the dire medical contagiousness of the Virus maybe. However, trade must be allowed to continue to thrive globally, regionally, and locally, keeping markets active to enable no loss or lack of commodities. It is

⁷ World Health Organization. *Covid-19: Pandemic Report*, United Nations, (2020).

⁸ Cheung, Elizabeth. *Thailand confirms first case of Wuhan virus outside China*. South China Morning Post, (2021).

interesting to note that it is the tremendous economic countries like the G7 and China that were most affected by the pandemic. The United States of America, China, Japan, Germany, the United Kingdom, France, and Italy are among the leading countries most affected by the disease. To quote an especially apt quip: when these economies sneeze, the rest of the world will catch a cold.⁹ In 2008, during the economic crunch, leaders from all over the world came together to announce a joint response to try and resolve a common crisis which included coordinated fiscal and financial stimuli. Today's leaders face similar tests, which will be measured by their ability to respond to this common threat effectively. It is expected that the response level should be coordinated and not nationalistic and individualistic.

The pandemic increased opportunities in the technological sphere, and it also created the demand for flexibility in all that we do to enable the continuation of life. The swiftness by which stakeholders were able to switch from one business venture to another as a response and mitigation to the effects of the pandemic is very promising. This, which started as a temporary mitigation stop-gap, eventually became a booming business.¹⁰ The potential for digital technology to provide support in combating COVID-19 effects, especially in areas such as health, education, social and economic, has been mind-boggling.

The upcoming technologies in areas such as artificial intelligence, acceleration in the formulation of vaccines, prognosticate on best public health measures to adopt, and constantly informing the public with scientific information are some such areas accredited to technology. Digital technology has also enabled transferring people's lives online in areas such as e-commerce, economic, social, and political, including school education, religious gatherings, and generally maintaining and remaining connected to each other while at home. Nevertheless, it suffices to say that the many innovative business strategies that arose during this catastrophe were unimaginable pre- COVID-19. Although digital conferences have greatly facilitated the opportunity to meet and interact with international partners in a brief period of time, it is noted to some degree that the informal interpersonal interaction necessary to establish trust-based relationships has been lost. Nevertheless, the switch towards online meetings enabled them to happen globally, transcending time and geographical locations, allowing one to move from one session to another within a short time and many members to participate in the same meeting at the same time. Today, the future without online meetings and development processes

⁹ Edited by Richard Baldwin and Beatrice Weder di Mauro, 'Economics in the Time of COVID-19', CEPR Press Centre for Economic Policy Research 33 Great Sutton Street London.

¹⁰ Richard Baldwin and Beatrice Weder, di Mauro, 'Economics in the Time of COVID-19', CEPR Press Centre for Economic Policy Research 33 Great Sutton Street London.

is unimaginable. However, there is still a clear need for a mix of virtual and physical participation while respecting the World Health Organisation guidelines. To take full advantage of both forms.

The Lessons Learnt in Africa

The COVID-19 crisis highlights the importance of information sharing and transparent and responsive cooperation at the international level. Africa as a Continent was among the last places to be affected by the Virus. It, therefore, responded to COVID -19 pandemic in a purposeful and harmonized manner. After the first case of Coronavirus was reported in China in December 2019, in Africa, the first cases were reported in Egypt in February 2020.¹¹

The AU and its institutions under the then chairmanship of South Africa's President Cyril Ramaphosa, who was the AU Chairperson in 2020, made several efforts to support member states in a variety of ways, primarily through the Africa CDC. After the outbreak of the Ebola crisis in West Africa, the importance of community response structures and the Africa Center for Disease Control was established in 2017. Therefore, in collaboration with the World Health Organization, the Africa CDC worked together to harmonize the plans and feedback in order to contain the disease. 'AU ministers of health held an emergency meeting in Ethiopia on February 22 and adopted a joint strategy to combat the Virus. They knew the pandemic had the potential to cause large-scale devastation in Africa, given the poorly functioning national health systems and HIV/aids infection, tuberculosis, anemia, malnutrition, and malaria are common comorbidities. This makes the regional response imperative.¹²

The Africa CDC set up a task force on COVID-19 anchored on six pillars: 1. Enhanced surveillance, 2. Laboratory testing and subtyping 3. Risk communication and community engagement 4. Logistics and Supply Chain Management 5. Infection Prevention and control, and 6. Case management. Other activities include the launching of the Africa medical supplies platform, where critical medical supplies like test kits, from within the continent and around the globe at required amounts and comparable prices through collective bargaining. The sub-region blocks like ECOWAS, and EAC, also made an effort to integrate their activities with the AU and Africa CDC in order to mitigate the spread of the disease regionally. The experiences in dealing with the Ebola outbreak proved critical in coping with the COVID-19 pandemic and mainly

¹¹ Gruzd, Steven, Isabel Bosman, and Nhlakanipho Macmillan Zikalala. Report. South African Institute of International Affairs, 2020.

¹² Ibid, (2020).

relying on the regional center for surveillance and disease established during the Ebola. The Ebola outbreak in the region went a long way in strengthening the structures of ECOWAS members. WAHO did not delay its response to COVID – 19 as it had done to the Ebola outbreak.

The SADC produced directives to contain the spread of Coronavirus through cross-border trade and transport and ensure the free flow of essential goods, food, and oil, transport facilitation processes and documents information sharing, government service guidance, and transport operators association. ‘There is still a long way to go to tackle COVID-19, but the swift and decisive regional responses in Africa have so far defied the expectations of poor prereaders.’¹³

The following areas are still of focus:

Building on the Past-African States has learned lessons from tackling health emergencies like HIV/AIDS, polio, and Ebola. These experiences and the institutions developed be leveraged on and efforts to mitigate COVID-19. Mr. Lee Kuan Yew, renown as the founding father of Singapore and credited with transforming the city-state of Singapore into a world-class economy, once stated that ‘the past was not pre-ordained. Nor is the future. There are as many unexpected problems ahead as there were in the past’¹⁴

Empower Institutions-The Africa CDC had had the political will, mandate, and funding to be at the forefront of continental efforts to tackle COVID-19 and has been able to deal with the pandemic even before the Virus was recorded in Africa.

Stronger Together-African countries have found strength in working together through the AU, Africa CDN, and WHO. They have shown solidarity in the crisis by their commitment to virtual meetings and sharing experiences.

They Do things by the Books and adopt best practices. -The President of South Africa led by example and provided leadership and the rule of law. Time was allowed for preparation before lockdowns.

Inspire Trust-Governments to need to build the trust of their citizenry through transiency, accountability, and sinuosity because the pandemic cannot be alleviated by governments alone.

Protect lives and Livelihoods-There is a need to find a balance between saving lives and creating jobs. This is no mean act.

Cut Corruption-In S. Africa and many other parts of the continent,

¹³ Gruz, Steven, Isabel Bosman, and Nhlakanipho Macmillan Zikalala. Report. South African Institute of International Affairs, 2020.

¹⁴ Nganje, Fritz. Report. South African Institute of International Affairs, 2021. Accessed August 30, 2021.<http://www.jstor.org/stable/resrep32480>.Pg.3

including Kenya, the various matters on COVID-19 were marred with a lot of allegations of corruption, the disappearance of cash by corrupt officials and politicians who would use the pretext of emergency services and circumvent the regular laid down procedure. This must be prohibited by all means.

Conclusion

In conclusion, it is noteworthy to state that history has taught us that pandemics usually come and go. The world we live in is very uncertain and unpredictable. The current Coronavirus (COVID-19) pandemic is once again challenging people on the need for flexibility and adoption of innovations. The AU and Africa CDC realized the broad and general destruction the pandemic exhibited and quickly sought concerted national responses. With every problem, there is a silver lining. It would be helpful to learn as many lessons as we can from one pandemic so that we do not repeat the same mistake and we improve our future.

COMMUNITY PARTICIPATION AND RESOURCE USE IN MARSABIT COUNTY, KENYA

Mr. Mungumi B Chongwa - Kenya Wildlife Service

Abstract

The Marsabit forest and the outlying ecosystem are the sources of many of the resources being used by the larger Marsabit County residents and their neighbors in the Northern Counties. There was about 11,000ha of forest remaining from over 18,363ha by 1973, yet the forest is of critical importance to sustaining life ecosystems, including Marsabit town itself. The forest and the surrounding areas offer a wide range of ecosystem services and functions that include water provision, climate regulation, carbon sink roles, and the provision of fuelwood, grazing, and medicinal plants that are particularly important to the inhabitants of the area. Using theoretical frameworks of institutional and resource dependency theories as lenses of analysis into community structure and participation in resource utilization, this review used two distinct but related theories of inapplicability. Community relations can be fleeting, intermittent, or even long-term, but this review did not have a long-term view since 1973 when the forest was bigger and more productive than today. The review found out that despite the loss of forest cover and, to an extent, ecological services, the service demand has more than doubled given the burgeoning population utilizing the forest resources, estimated at 140,000 directly and indirectly by 2012. The number of institutions, both governmental and non-governmental, as well as stakeholders, is large. The private sector is much less developed in Marsabit. The challenges facing the Marsabit forest ecosystem are many, including over-stocking of livestock, population growth, and the proliferation of small arms and light weapons, which have caused more harm than harmony in the ecosystem. The governmental institutions are expected to bring much-needed civility and increase community participation in resource utilization with Marsabit forest ecosystem resources, resulting in an improved quality of life for Marsabit residents.

The Background of Marsabit Forest and its Community

Marsabit County, formerly Marsabit County Council (MCC), was established under the new Constitution and constituted in 2013 after the general election.¹

¹ Constitution of Kenya 2010

Marsabit covers the entire Marsabit District with the important market and divisional commercial and residential centers such as Laisamis, Turbi, Kalacha, North Horr, and Loiyangalani. Certain activities will take place in both the Samburu and Isiolo Districts.² The restructuring that will occur under the premise of the recently passed Constitution will mean that the project is largely implemented in Marsabit County. Marsabit district is one of the 13 districts that make up the Eastern province of Kenya and covers a total area of 61,296 km² – this is about 11% of the area of Kenya,^{3 4}

The Marsabit forest and the outlying ecosystem are the sources of many of the resources being used by the larger Marsabit County residents and their neighbors in the Northern Counties. There is about 11,000ha of forest remaining from over 18,363ha in 1973, yet the forest is of critical importance to sustaining life ecosystems, including Marsabit town itself.⁵ The forest and the surrounding areas offer a wide range of ecosystem services and functions that include water provision, climate regulation, carbon sink roles, and the provision of fuelwood, grazing, and medicinal plants that are particularly important to the inhabitants of the area.⁶

Theoretical Framework

This review used the theories of institutional theory, which focuses on the deeper and more resilient aspects of the social structure. Institutional theory elaborates on the processes through which structures, including schemes, rules, norms, and routines, are stable as authoritative guidelines for social behavior.⁷ Resource dependence theory was originally developed as an alternative perspective to the economic theories of board mergers and involvement and to accurately understand the types of inter-organizational relationships that have played such an important role in corporate governance in recent market failures.⁸ The people of Marsabit County, therefore, needed institutions, rules, and regulations that would help them extract the environmental services from the forest ecosystem. Resource dependency goes to show how the natural resources of the Marsabit forest ecosystem are relied on not only by animals (livestock and wildlife) but largely for the survival of man.

² The Trusts Land Act, CAP 288.

³ The Government Land Act CAP 280.

⁴ Marsabit District (2005) Planning Report

⁵ Forests Act 2005.

⁶ Ibid Forests Act 2005

⁷ Scott, W. R. (2004). Institutional theory. Pp. 408-14 in Encyclopedia of Social Theory, George Ritzer, ed. Thousand Oaks, CA: Sage

⁸ Ibid

Community Resource Use, Rights and Obligations

An estimated 140,000 people and many hundreds of thousands of livestock are dependent on the water from the forest. Yet, anthropogenic and long-term climatic shifts have resulted in significant declines in water flow in the forest. Thus, whereas in 1995, the discharge at the Bakuli springs was 150 m³/hour (or 3,600 m³/day), current discharge rates are an average of 2.71 m³/hour (or 65 m³/day). There has been a drop in the water table, at least several meters. The most plausible explanations for this, in order of importance, are over-abstraction from the wells, boreholes, and weirs in the lowlands; altered rainfall patterns; and a change in the structure of the forest (in turn due to fuelwood harvest). If the water table continues to drop, the impact on forest regeneration (through seedling survival) and, later on, tree mortality may become catastrophic.⁹ Deforestation is the main threat to the survival of the remaining forest in the Marsabit ecosystem. It is estimated that deforestation is 180 ha per year. The primary drivers of deforestation are conversion of forest land to agricultural land as well as deforestation through over-abstraction of fuelwood, currently standing at 16,382 tonnes per year,¹⁰ while over-grazing by domestic livestock, with up to 50,000 heads of livestock entering the forest during the drought of 2009.

Climate, vegetation, and water availability and distribution are the key ecological parameters determining the livestock assemblage. Inter and intra-ethnic conflicts have been an incessant part of human societies, particularly in areas where resources are not widely abundant. Conflicts are particularly prevalent in northern Kenya. Conflicts have occurred over resources, particularly in dry season grazing areas. This is done indirectly: by controlling a water source, a group also controls all the grazing around it. As such, superficially, the conflict appears to be over water but is more about the grazing around it. Conflict is obviously a complex issue, and there are other causes; livestock theft, which, in turn, has many root causes (e.g., rebuilding herds following drought, societal rites-of-passage, social needs such as dowries, historic feuds between adjacent groups, political reasons (the factor that is increasing the quickest), and weak security and justice structures.¹¹

The proliferation of small arms in the area has not helped – although it is possible that there may be some deterrent effect here, and the net mortality through conflict may have reduced over time. In the past four decades, there have been changes in the nature of conflicts in the project area. It is interesting

⁹ WRMA-Water Resources Management Authority Report (2007)

¹⁰ Marsabit District (2005) Planning Report

¹¹ Ibid

to note that conflict leads to the displacement of resource use. As a result, the areas where people are displaced become severely degraded, whereas conflict zones do not. The resource use decision-making units are centered at the household level but are influenced by the *manyatta* (those people living in the small aggregation of houses), neighborhood association, clan, ethnic community, and finally, neighboring communities. Decisions include grazing areas and routes, local water source management, watering order, the direction of grazing, and conflict.¹² There have been discussions about the possibility of some form of transferred, contracted, or co-management of the forest. The forests are an important dry-season refuge for the pastoralist people. Locals take their livestock up into the forests, where they find permanent water and patches of grass. They also cut fodder for their livestock from the shrubs and trees of the forest. The forests are also important for other goods: medicinal plants, fiber, construction materials, and bee products, particularly honey.¹³

Participation of the Community/Stakeholders in Resource Utilization in the Marsabit Forest Ecosystem

The overarching legal framework for nature conservation is the Convention on Biological Diversity (CBD), which Kenya ratified on July 26, 1994, making its provisions a government priority.¹⁴ Under the terms of the treaty, Kenya is to promote the protection of ecosystems and natural habitats and respect the traditional lifestyles of indigenous communities. Scholars aver that there is no single and universally agreed definition of an “institution” in the institutional school of thought. Institutions are social structures that have attained a high degree of resilience.¹⁵ Institutions operate at different levels of jurisdiction, from the world system to localized interpersonal relationships. Institutions, by definition, imply stability, but they are subject to both incremental and discontinuous change processes.¹⁶

These institutions managing the Marsabit forest ecosystem include governmental institutions such as the Kenya Wildlife Service (KWS), created in 1990 as a semi-autonomous “parastatal” organization. KWS is responsible for conserving and managing wildlife in Kenya and enforcing environmental protection laws and regulations. KWS activities include formulating policies regarding wildlife conservation and management, managing national parks

¹² Op.cit (Marsabit District (2005) Planning Report)

¹³ Marsabit Forest (2008). KFS working report

¹⁴ Ronald B. Mitchell and the IEA Database Project (2020): International Environmental Agreements.

¹⁵ Scott, W. R. (1995). Institutions and Organizations. Thousand Oaks, CA: Sage.

¹⁶ Scott, W. R. (2004). Institutional theory. Pp. 408-14 in Encyclopedia of Social Theory, George Ritzer, ed. Thousand Oaks, CA: Sage.

and reserves, and the protection of humans, agriculture, and livestock from wildlife destruction.¹⁷ The Kenya Forestry Service (KFS), formerly the Forest Department, was created under the Forest Act No.7, 2005, and the act came into force in 2007. Its mandate is to develop, conserve, and sustainably manage forest resources in Kenya to contribute to the socio-economic development of the country. Natural forest conservation, management and protection, industrial forest plantation establishment and management, farm and dry-land forest production and management, forest resources information and technology development, forest enterprise development and revenue maximization, and forest administration and infrastructure are its six-core programs.¹⁸

The Water Resources Management Authority (WRMA) manages the water allocation in the area, while the Northern Water Services Board (NWSB) establishes or develops water sources and then hands them over to WRMA or other local provider companies to manage. The Northern Rangelands Trust (NRT) has its historical roots in the Lewa Wildlife Conservancy (LWC), a non-profit association created in 1995. LWC appreciated the need to work with the neighboring communities. As this work spread north, first with Il Ngwesi and then with Namunyak communities, individuals from Lewa teamed with the government, the private sector, and community conservation initiatives in 2004 to form NRT.¹⁹

The Nature Conservancy (TNC) is a leading conservation organization working in more than 30 countries around the world to protect lands and waters that are ecologically important to people and nature. The Grevy's Zebra Trust (GZT) was established in January 2007 to address the urgent need to conserve Grevy's Zebra (*Equus grevyi*) in the grasslands of Ethiopia and Kenya. It is an independent wildlife conservation organization registered in Kenya. The African Wildlife Foundation (AWF) is a Nairobi-based wildlife NGO; The Milgis Trust (MT) was established in 2004 and aims to conserve the wildlife, habitat, and lifestyle of shepherds in Milgis ecosystems; and Save-The-Elephants (STE) is a non-profit organization founded in 2003. STE's main objective is to ensure a future for elephants and their habitats; Food for Hungry Kenya (FHK) is a subsidiary of the international aid and development organization, Food for the Hungry International (FHI). FHK has been working in Kenya since 1976. Over the past 34 years, most of FHK's staff, resources, and activities have been concentrated in Marsabit.

Other stakeholders are: the National Environmental Management Authority

¹⁷ The Wildlife Management and Coordination Act, CAP 376.

¹⁸ The Forests Act 2005.

¹⁹ Marsabit Park (2004). KWS Quarterly Report (Unpublished Working Reports).

(NEMA) enforces the environmental laws, including being the office that oversees and endorses EIAs²⁰; the Ministry of Water and Irrigation is responsible for the supply of water; in northern Kenya, it operates through the Northern Kenya Water Board. This organization makes decisions about water supply and is responsible for projects such as the Badass Dam; the Ministry of Livestock (MoL) is responsible for livestock development, including promotion of forage development, veterinary services provision, and marketing of livestock.²¹ Communities in the nomadic community followed suit by establishing the Melaka conservancy, which now hosts a very successful game bird hunting operation in conjunction with a private tourism operator and KWS. The conservancy generates revenue from this operation by levying bird shooting and conservation fees. In 2009, the operation raised KES 800,000. As with all the conservancies, the revenue was split, with 60% going to the community and 40% being retained by the conservancy to help cover the operational budget. The remainder of the operational costs (which, in 2009, amounted to 87% of the operational budget) were covered through donations from the donor with whom the conservancy has established a relationship.²²

Conclusion

Community participation within the Marsabit ecosystem is gaining traction. They have been entrenched in public participation and are now involved in the management of natural resources. In Marsabit, there are a number of clusters of community conservancies assisted by various umbrella or parent bodies, including the Kenya Wildlife Service, with peripheral participation in the resource planning, management, and effective utilization of the natural resources in the Marsabit Forest or surrounding catchment areas. Under the existing policy and legislation, community participation is truly looking upward. The review carried out confirmed the value of institutions in the Marsabit forest ecosystem while the community actively participated and depended on the resources from the forest, as well as confirming the use and applicability of the two theories.

²⁰ Environmental Management and Coordination (EMCA 1999) Act.

²¹ Ministry of Livestock (2008) is responsible for livestock development in Marsabit District.

²² Marsabit Park (2004). Quarterly Report (Unpublished Working Reports).

CLIMATE CHANGE AND ITS IMPACT ON BANGLADESH

Brig Gen Aung Chaw Sa Maung – Bangladesh Army

Abstract

Climate change is viewed as a severe threat to human security. It sparked a slew of multi-faceted demographic, economic, geopolitical, and national security challenges, all of which are riddled with unknowns and enormous uncertainty. A number of countries, particularly in the third world, are facing the brunt of climate change due to global warming. The industrialized countries bear the primary responsibility in this regard. Climate change could have a negative impact on human health and food security around the world in the long run. Bangladesh is undoubtedly one of the countries facing security risks as a result of climate change. Bangladesh, as expected, will be the most affected country by climate change. Increased natural disasters, loss of agricultural productivity, shortages of safe drinking water, sea-level rise, territorial loss, salinity intrusion, and climate change-induced migration are all consequences of climate change in Bangladesh, which could lead to the state's inability to function. It is imperative that Bangladesh should adopt both mitigating and adaptive measures to face climate change.

Introduction

Climate change is one of the most severe environmental, social, economic, and security issues facing the globe today. The developing countries will be the most susceptible to climate change owing to a lack of resources and resilience to deal with its effects. Even if developing countries are not to blame for global warming, they will endure the brunt of the consequences. "Climate change will have a number of serious health-related impacts," according to a World Health Organization (WHO) report, "and 1.7 million people die prematurely every year because they do not have access to safe drinking water, and the situation will worsen if water-borne diseases multiply as a result of rising temperatures."¹

Bangladesh is considered one of the few countries that are particularly sensitive to climate change. Climate change will make it difficult for the country to maintain the high rate of economic growth required to keep poverty at bay. In the worst-case scenario, 15 million people will become "environmental refugees" from coastal areas in the next 50 years as a result of SLR. This will have massively negative consequences, endangering the livelihoods, health,

¹The World Health Report, 'Reducing Risks, Promoting Healthy Life', 2002, p. 68.

and food security of a vast population, turning Bangladesh into a nightmare. This would put the Millennium Development Goals (MDG) in jeopardy, with serious implications for national security.

Why is this climate change?

Climate change can be caused by both natural and man-made factors. During the last few decades, the prevalence of human causes has risen. However, a few of the important causes are described below:²

Emissions of CO₂ and other greenhouse gases (GHGs). The greenhouse effect, which heats the earth's surface, is caused by a variety of natural and man-made gases. The concentration of CO₂ is most likely the most important source of contemporary warming. Other substances that contribute to the global greenhouse effect include methane, nitrous oxide, and halocarbons.

Human Activity and GHG. Coal, oil, and natural gas provide energy for practically all aspects of human activity in developed countries, and carbon dioxide (CO₂) is a byproduct of their combustion.

Other greenhouse gases. Methane, the second most important greenhouse gas after carbon dioxide and the main constituent of natural gas, is almost everywhere. Since 1750, methane levels have increased by approximately 150 percent.

Volcanic Eruptions. When a volcano erupts, ash and sulfur dioxide (SO₂) gas are released into the atmosphere. The gases and dust particles block some of the sun's light, resulting in cooling. Furthermore, the sulfate may react with water to form tiny sulfuric acid droplets (aerosols), and aerosols can travel throughout the world at high altitudes.

Changes in Land Use and Deforestation. The regional climatic system is affected when humans convert land from forests to seasonal crops or from natural to urbanization. Deforestation increases the amount of CO₂ in the atmosphere, which warms the earth. Aside from industry and transportation, unplanned and ever-increasing urbanization is a source of heat.

Climate Change in Bangladesh: Key Influences and Vulnerabilities

Bangladesh is already experiencing the adverse effects of climate change. Climate change's water-associated implications are projected to be the most

² "Global Warming Facts and Our Future" available at <http://www.koshland-science-museum.org/exhibitgcc/causes02.jsp> accessed on 10 May 2011.

serious for Bangladesh.³ Certain key influences and vulnerabilities of climate change in Bangladesh are briefly discussed below.

Flooding. Three major rivers, the Ganges, the Brahmaputra, and the Meghna, all have flood plains in Bangladesh (GBM). As a result, when the combined waters of the Ganges and Brahmaputra flow through their delta to reach the Bay of Bengal, floods in Bangladesh become catastrophic.⁴ In addition to the present flood risk, many places are experiencing prolonged waterlogging as a result of sedimentation in drainage channels and rivers, notably in the country's southwest coastal region.⁵

The drought. Drought is a well-known natural calamity among Bangladeshi citizens. Drought occurs when the torrential rains, which account for 80 percent of Bangladesh's annual precipitation, fall short of expectations. It is seasonal and has the potential to destroy crops, putting poor agricultural laborers and others out of work.

Tropical Cyclones and Storm Surges. Every three years, Bangladesh is affected by a tropical storm.⁶ They are accompanied by powerful gusts of winds exceeding 150 kph, which can cause storm surges of up to seven meters, resulting in the loss of human life and cattle, as well as major damage to coastal homes. The occurrence of Sidr in Bangladesh in 2007, followed by Nargis and Aila in Myanmar and Bangladesh, was a completely unexpected occurrence that exemplifies the intensifying influence of climate change.⁷

Sea Level Rise (SLR). Many scientists feel that the greatest effects of SLR have already occurred in Bangladesh's coastal area, particularly in terms of shore flood and erosion, saltwater incursion, deforestation, loss of biodiversity and agricultural land, and large-scale exodus. SLR in the Bay of Bengal has been observed approaching wide swaths of land in Bangladesh's southern districts, resulting in increased soil salinity and other environmental problems⁸ displacement of the population is another important result of SLR. An increase in SLR could result in a large number of people migrating inland, affecting the

³ Dwijen Mallick, Bangladesh Faces Devastating Impacts of Climate Change, *The New Nation*, Dhaka, 22 October 2007.

⁴ Khan Tauhidul Anwar, *Trans-boundary Water Issues in South Asia*, Bangladesh Environment Lawyers Association (BELA), Dhaka, May 2007, p. 14.

⁵ International Organization for Migration (IOM), *Assessing the Evidence: Environment, Climate Change and Migration in Bangladesh*, Dhaka, June 2010.

⁶ BCCSAP 2008, p.5.

⁷ In 2007, SIDR in Bangladesh took a heavy toll on human life (15,000 deaths) and property. Aila hit Bangladesh with 70-90 km per hour, 18 killed and more than 6,400 people in some 15 coastal districts were injured. Still Aila affected people could not return to their home.

⁸ Zinatunnessa R.M.M. Khuda, *Environmental Degradation: Challenges of the 21st Century*, Environmental Survey and Research Unit, Dhaka, 2001, p. 59.

entire country. This would increase the population density in the destination area and would cause socio-economic problems.

Saline Water Infiltration. The influence of climate change on physical systems, along with the effect of SLR, will result in a net increase in salinity in Bangladesh's already-affected soils.⁹ Salinity in the rivers of Bangladesh's southern districts has increased by 45 percent since 1948, according to a soil analysis conducted by six administrative entities, including the Bangladesh Rice Research Institute (BRRI) and the Bangladesh Agricultural Research Council. As a result, extended salinity is deteriorating soil quality and causing a loss of sweet flora and fauna.

Erosion of riverbanks. The government of Bangladesh estimates that riverbank erosion results in the loss of 10,000 hectares of land per year.¹⁰ River erosion is severe enough to damage the livelihoods of thousands of people, and monsoon rainfall may contribute to greater rates of erosion along major rivers. An associated feature of riverbank erosion is sedimentation. The chars formed due to siltation change the direction of the rivers, thereby making the people more vulnerable to the risks and hazards of flooding.

Human Health. Vector-borne diseases are significant causes of mortality and morbidity in Bangladesh. Many vector-borne diseases, such as cholera, diarrhea, dysentery, malaria, and typhoid, could be aggravated or spread as a result of the combination of higher temperatures, greater summer rain, and flooding. High population densities and poor public health infrastructure make people significantly vulnerable to these events.

Biodiversity and ecosystems. One of the most likely negative effects of SLR is the loss of Bangladesh's biodiversity and ecology, particularly the Sundarbans, the country's only mangrove forest. It is also reported that the possibility of one meter SLR by the year 2050 could inundate 75% of the Sunderbans.¹¹ This would also increase salinity in the areas. When the forest's condition deteriorates, the rich diversity of forest flora and animals suffers as well.

Water Security. Around 70 million people in Bangladesh are in danger of consuming polluted water. According to the British medical magazine "The Lancet," up to 77 million people in Bangladesh have been exposed to arsenic, which can result in 2,000 to 70,000 cancer deaths.¹² Water scarcity is also a major worry in salinity-affected areas.

⁹ Available at http://www.bdix.net/sdnbd_org/world_env_day/2004/bangladesh/climate_change_salinity.html, accessed on 13 May 2011.

¹⁰ Bangladesh Water Development Board quoted in Saferworld, 2008, p. 22.

¹¹ Ibid.

¹² A.N.M Muniruzzaman, "Climate Change: Threat to international peace and security", op.cit.

Food Security. Farming provides a living for nearly 70% of the population. While the country's population is growing at a rate of 1.6 percent per year, demographic pressures and increased urbanization have caused cultivated areas to decline at a rate of 1 percent per year. Therefore, any further loss of land or degradation in its fertility caused by climate change presents a serious source of livelihood insecurity.

The Effect of Climate Change on National Security: Bangladesh Perspective

Nothing poses a more severe hazard to humanity than the rapid climate change that the world is witnessing now. The lack of safe drinking water in Bangladesh, as well as arsenic poisoning from naturally occurring arsenic in groundwater, has harmed the health and livelihoods of millions of people in this densely populated country. Furthermore, rainfall could rise by 10% in the same period, radically altering normal rainfall patterns and resulting in unexpected floods. Riverbank erosion and severe droughts are threatening millions of people in the northern section of the country.

Another very significant aftermath event of climate change is migration. Large-scale migration would very certainly worsen tensions in destination locations amongst native and migratory groups over access to resources such as water, land, and work, leading to a breakdown in social cohesiveness and an increase in crime. Cross-border migration is also expected to increase, which is already causing problems with neighbors, particularly in India. The following are the security threats that are predicted to arise as a result of climate change:¹³ Greater insecurity in climate-vulnerable populations as an outcome of increased rivalry for declining resources; insecurity in destination areas, that is, areas that accept migrants from climate-affected areas, as an outcome of tensions and resource rivalry amongst current inhabitants and inward immigrants; because the economy has been severely disrupted and there are fewer resources available, the state's ability to offer security has weakened; increased cross-border migration has heightened tensions between states, raising the danger of violent inter-state conflict if badly managed; and tensions between states have risen as a result of growing resource competitiveness.

¹³ "Climate Change and Security in Bangladesh: A Case Study", June 2009, op.cit.

Policy Options for Bangladesh to Meet the Challenges

The policies adopted by Bangladesh to address climate change are not exhaustive. Furthermore, there should be a relationship between global and local climate change policies. Keeping this in view, the policy options and actions suggested in the paper will complement the existing policies and address adaptation and mitigation simultaneously. The recommendations of the study have been given as policy options and action plans below:

Monitoring system. People, especially farmers, are accustomed to the type and time of rain, its pattern, and season. But climate change has brought a shift in this aspect. Sometimes when farmers expect rain, it turns into a drought and vice versa. As a result, it is necessary to construct a Climate Change Research and Knowledge Management Center (CRKMCC). The center will ensure that the latest ideas and technology from around the world are available, as well as diverse climate change magnitudes in different parts of the country. It will also ensure that academics and users have access to this data in a wide and open manner.

More Research Work. In Bangladesh's adaptation industry, more theoretical and research-based work is required. This will include the preparation of an updated map of the most likely affected areas, a thorough analysis of source areas to know the extent of migration caused by climate change, and identifying and mapping of the likely hot spots of migration from source areas to destination areas both inside and outside Bangladesh.

Policy measures. Relocating toxic waste-producing industries, ensuring built-in effluent-treatment facilities for industries, and encouraging the use of biodegradable materials as an alternative to harmful synthetic products are just a few of the legal, policy, and institutional measures that must be implemented to reduce pollution.

Capacity building. To deal with the magnitude of climate change, Bangladesh must first strengthen its human, technological, organizational, scientific, and institutional capabilities. Local governments (and local communities in general) should be given greater participation in activities by the national government so that they can identify and implement programs and policies that are responsive to local settings.

Financial Implications Bangladesh, with its limited resources, will be unable to deal with the consequences on its own. Financial institutions should create mechanisms to aid adaption, such as providing simple credit for technology purchases. Donors must assist the government and civil society in developing new initiatives by providing cheap credit for technologies, for example. Bangladesh, on the other hand, must participate in order to optimize

and improve fund management and equitable allocation of existing funds for vulnerable people and sectors, including research, knowledge, and capacity building. NGOs can also play a significant part in assisting the government in putting the policy into action by creating community capacity.

Mitigation and Adaptation Policies. Bangladesh has a particularly difficult situation as a result of climate change because of its unique vulnerability. As a result, it is critical that these concerns be freely debated by policymakers and legislators, as well as the general public, in order to determine the best alternative for Bangladesh. However, combining both at the policy and plan implementation levels will have a synergistic effect in dealing with climate change vulnerabilities.

Connectivity with International Organizations. Bangladesh urgently needs to develop a comprehensive policy framework for adaptation and mitigation in order to address environmental concerns. These must be coordinated with domestic and international activities.

Conclusion

In retrospect, Bangladesh's climate change scenario is equally bleak, with rising temperatures, SLR, salinity in the coastal zone, frequent and powerful floods, droughts, and cyclones, among other things. Climate change-induced natural calamities and catastrophes resulting in the loss of life, damage to infrastructure and commercial assets, as well as negative repercussions on people's lives and livelihoods, particularly the poor. Furthermore, environmental refugees would put a strain on scarce natural resources, economic opportunities, and basic necessities in the destination places, resulting in law and order violations and deterioration. Migration would also have a spillover effect across the border. Given the scope and depth of all of these issues, climate change and its impacts are expected to pose major dangers to Bangladesh.

World communities and international and multilateral organizations take the initiative to face the challenges of climate change. But the main issue of GHG emissions by developed countries has yet to gain momentum. However, Bangladesh has already proved its worth in leading the LDCs on the climate change issue. Besides, in formulating the strategic plan, the government kept mitigation as the long-term priority. The approach adopted in this "living document" is one that can serve as an example for many other LDCs.

LEVERAGING ON MEDICAL TOURISM TO INCREASE TOURISTS REVENUES IN KENYA

Col (Dr) Justino M Muinde MBS – Kenya Air Force

Abstract

Medical tourism, a new and growing branch of tourism, has received tremendous prominence in the world today. It is a phenomenon in which individuals travel across borders to seek medical and surgical care, and this can be for various reasons, from lack of availability of the services in their home countries or the services being too expensive. The movement of potential medical tourists can be from developing to developed countries and vice versa. This study aimed to identify what Kenya could learn from countries that have embraced medical tourism with success. It was conducted using a light scoping literature search, both theoretical and empirical, focusing on how medical tourism has spurred development in other parts of the world with a special focus on the Asian nations of India and Singapore, among others, and leveraging this to Kenya's situation. The study was anchored on the grey system theory, which advances an approach to investigating the relationship of an input-output process with unclear inner relationships, uncertain mechanisms, and insufficient information.

The study found that medical tourism has many benefits to the destination country, ranging from improved medical infrastructure, development of skills in the medical profession, and growth in small and medium economies in areas of housing, among others. The study thus concludes that Kenya can immensely benefit from medical tourism if sound policies are put in place aimed at removing the barriers to specialized medical care in the country to attract many medical tourists and also negate the need for Kenyans traveling abroad to seek medical services. Medical tourism can lead to great revenue generation and improved gross domestic product (GDP).

Introduction

Globalization has propelled the concept of medical tourism and facilitated situations whereby a country deliberately promotes its healthcare systems and infrastructure in an effort to attract foreign tourists.¹ Further, globalization

¹Kim, S., Arcodia, C., & Kim, I. (2019). Critical success factors of medical tourism: The case of south korea. *International Journal of Environmental Research and Public Health*, 16(24). <https://doi.org/10.3390/ijerph16244964>

diversifies a nation's business opportunities, including increased demand for accommodation spaces, food, and transport to facilitate medical tourists, increasing its supply and growing its Gross Domestic Product (GDP).² Medical tourism defines a phenomenon in which individuals travel across borders to seek medical, surgical, or dental care. Key defining features of medical tourism are elective and voluntary discretionary transfers, the presence of a medical intervention being sought, and the individuals traveling across borders to seek this care.³ Essentially, medical tourism differs from health tourism in that individuals seek an invasive or a non-invasive medical intervention, whereas the latter involves individuals seeking non-medical interventions such as therapeutic spa visits, massage, or hot springs visits.⁴

Many individuals seek care abroad due to multiple reasons. Prompting situations include high out-of-pocket costs for medical care, lengthy waiting times to get certain procedures done, and unavailability of professional capacity to conduct certain named procedures.⁵ Although there are many places in the world where medical tourism happens, Asia is identified as a major destination for this process, mainly India, Thailand, and Singapore. The private sector in these countries resolved to embark on medical tourism after the Asian financial crisis that discouraged many of the middle-class residents from paying for private hospital care, leading to the expansion of the private tourists-targeting hospitals.⁶ Africa has been both a destination for and a source of patients arriving and departing to use healthcare services that are either unaffordable, unavailable, or of low quality in their home country.⁷ Published statistics of individuals traveling abroad from African countries for medical care are currently unavailable, although the situation has intensified significantly over the recent past partly due to the perception that the quality of care is low in the region and there is less proactive marketing. For instance, it is estimated that more than 100,000 East Africans travel to India for medical

²Krishnan, T., Chelliah, S., Mohamed, B., & Bahauddin, A. (2013). Medical tourism research: A conceptual framework of emerging business strategies in healthcare industry. *Proceedings of International Conference on Tourism Development, "Building the Future of Tourism"*, Penang, Malaysia, 4-5 February 2013., February 2013, 364–376. <http://www.cabdirect.org/abstracts/20133074548.html>

³ibid

⁴Lianto, M., Suprpto, W., & Mel, M. (2020). The Analysis Factor of Medical Tourism in Singapore. *SHS Web of Conferences*, 76, 01028. <https://doi.org/10.1051/shsconf/20207601028>

⁵Kim, S., Arcodia, C., & Kim, I. (2019). Critical success factors of medical tourism: The case of south korea. *International Journal of Environmental Research and Public Health*, 16(24). <https://doi.org/10.3390/ijerph16244964>

⁶ibid

⁷Mogaka, J. J. O., Mupara, L. M., Mashamba-Thompson, T. P., & Tsoka-Gwegweni, J. M. (2017). Geo-location and range of medical tourism services in Africa. *African Journal of Hospitality, Tourism and Leisure*, 6(1).

treatment annually.⁸ Nations are pursuing medical tourism benefits from enhanced foreign exchange, accelerated GDP growth, and improved medical care.⁹ Tourism has a competitive advantage because tourists' expenditure has a follow-through catalytic effect across the economy in terms of production and employment creation achieved by increased consumption of consumables and demand for infrastructural development, including transport, telecommunication, and financial services.¹⁰

Theoretical Approach

This study is anchored on the greys systems theory. Medical tourism is not a unitary industry but a composite complex industry involving transportation, accommodation, travel agencies, government, and other services and thus needs not be seen in a singular perspective but in a systems approach. The greys systems approach was popularized in China in the 80s.¹¹ Grey system theory advances an approach to investigating the relationship of an input-output process with unclear inner relationships, uncertain mechanisms, and insufficient information.¹²

Impact of Medical Tourism

Globally the medical tourism industry is valued at \$20 billion (US dollars) annually, with nearly seven million patients seeking healthcare abroad. In 2016, Africa spent \$6 billion on facilitating health care abroad, and it is estimated that approximately 100,000 individuals from East Africa travel to India for medical care annually.¹³ This is partially due to the perception that the cost of care in the home country is high while the quality of care is substandard and under marketing by the key industry players with the capacity to handle such advanced medical care.¹⁴ African countries and Kenya, in particular, can

⁸ Khan, M. J., Khan, F., Amin, S., & Chelliah, S. (2020). Perceived risks, travel constraints, and destination perception: A study on sub-saharan African medical travellers. *Sustainability (Switzerland)*, 12(7), 1–16. <https://doi.org/10.3390/su12072807>

⁹ *ibid*

¹⁰ Christie, I., Fernandes, E., Messerli, H., & Twining-Ward, L. (2012). *Tourism in Africa: The World Bank harnessing tourism for growth and improved livelihoods*.

¹¹ Kho, Tae-Gyou. "A Framework of Medical Tourism as a Niche Trade Item: A System Approach." *Journal of Korea Trade* 25, no. 2 (2021): 1-21.

¹² Trivedi, H. V., and J. K. Singh. "Application of grey system theory in the development of a runoff prediction model." *Biosystems Engineering* 92, no. 4 (2005): 521-526.

¹³ Khan, M. J., Khan, F., Amin, S., & Chelliah, S. (2020). Perceived risks, travel constraints, and destination perception: A study on sub-saharan African medical travellers. *Sustainability (Switzerland)*, 12(7), 1–16. <https://doi.org/10.3390/su12072807>

¹⁴ Lianto, M., Suprpto, W., & Mel, M. (2020). *The Analysis Factor of Medical Tourism in Singapore*. SHS

leverage the experiences of the Asian nations of India and Taiwan to tap into this increasingly popular industry to increase the country's GDP and improve the livelihoods of its citizens. The interventions should seek to identify salient means the local medical industry can apply to demystify the notion that care provided is expensive and substandard in formulating strategies to retain and grow the traffic of medical tourists.

Positive Effects of Medical Tourism

The positive effects of medical tourism include; Medical tourism can spur growth in the medical infrastructure of destination countries like Kenya. ; growth of medical specialization to the benefit of the citizens through improved standards of care. ; Positive growth of small and medium economies (SMEs), i.e., through the construction of accommodation areas around the hospitals, increased demand for eateries around the hospitals, and overtly to the growth of Kenya's GDP through revenue generation.

Negative Effects of Medical Tourism

Medical tourism has its negative side. It is a heavy public resource utilizer and can increase inequality between the haves and have-nots.

Medical Tourism in Kenya

Kenya has enjoyed the status of being a destination of choice for many local and international tourists, with many global firms setting bases in the region because of favorable working and weather conditions. Currently, the main tourism targets include site-seeing, the beach, hot air balloon flights, sky and scuba diving, and mountain climbing. Over the recent past, Kenya has increased its medical capacity significantly with many medical professionals specializing and institutions growing their capacity to perform complex lifesaving procedures that would have otherwise required airlifting patients to countries with the advanced capabilities to handle these Procedures. As a result, many individuals in Africa and beyond are coming to the country to receive advanced care.¹⁵

However, this phenomenon has not yet been categorized as a form of tourism because many of these individuals lack packages to help them tour Kenya as they receive care from their preferred healthcare providers. Unfortunately, many Kenyans still seek the same care abroad in India, South

Web of Conferences, 76, 01028. <https://doi.org/10.1051/shsconf/20207601028>

¹⁵ <https://pathway.international/medical-travel-kenya/>

Africa, the UK, and the USA, among others.¹⁶ Dr. Joan Osorio identified the commonest medical reasons for seeking care outside Kenya as Oncology, Heart surgery, Orthopedic, and Plastic surgery.¹⁷ Kenya's vision 2030 has focused on health tourism in its strategic plan toward the attainment of a middle-income economy by the year 2030.¹⁸

Suggested Way Forward for Kenya

Kenya should positively and proactively market medical tourism with attractive healthcare packages like cross-border insurances, tax returns, reimbursements, and low airfares, among others. The country should reduce the cost of medical care to attract medical tourists from within the region, Africa, and beyond. The government should invest in medical infrastructure and accreditation of hospitals to attract medical tourists. Kenya should deliberately embark on training many specialists in the fields which are mainly preferred by many medical tourists. Furthermore, the country can also invest in innovative medical technology taking advantage of its vibrant youths to increase efficiency and safety in Health care and thus attract medical clients. The country should also give better incentives to specialized medical personnel to curb health worker migration and enact favorable legislation and integrate medical tourism with other related industries to offer convenience to healthcare travelers.

¹⁶ <http://amcoa.org/wp-content/uploads/2015/09/Day1-The-Nairobi-Hospital.pdf>

¹⁷ Ibid.

¹⁸ Kenya vision 2030.

THE ENVIRONMENT AND GLOBAL WARMING

Col John B Nkonjera - The Zambian Air Force

Abstract

This article aims to highlight the need for understanding our environment concerning the effects of global warming through references to human activities in the environment and the reaction of these activities to cause global warming. There are several ways in which we can reduce the effects of climate change, such as Recycling more. Drive fewer carbon-emitting vehicles. Plant more trees. Switch to renewable energy such as solar Use energy-saving equipment. Use less hot water. Turn off electronic devices, not in use. Spread awareness With an increased understanding of our environment. We can individually make informed decisions instead of letting our day-to-day lifestyles lead us towards global devastation activities that will put the human race into a state of global insecurity. Through our efforts, we can save nature by balancing the ecological system. There is a threat to global security due to climate change. Therefore, we are duty-bound to embrace the understanding of the environment. The temperatures are rising, rainfall is above or below normal, polar regions are melting down, and the water levels are bursting. We can save the world from global insecurity.

Introduction

Understanding our environment requires the recognition of the ecosystem's fragility and the need to safeguard it. This infamous topic will be discussed in this article for the National Defence College Journal. The importance of understanding our environment will be emphasized by emphasizing global warming. Through various examples in this article, a hypothetical concept of how the effects of global warming loop back to humanity in the most unlikely forms will be presented.¹ Unfortunately, Global Warming, which is also known as Climate Change, is one of the most ignored theories by many people as it is viewed as a political discussion.

¹ McCright, A. M., & Dunlap, R. E. (2000). Challenging global warming as a social problem: An analysis of the conservative movement's counter-claims. *Social problems*, 47(4), 499-522.

Yet, there is nothing political about this important fact, which affects every individual and is even more devastating to future generations if not dealt with by every well-meaning global citizen.² Politics only comes into play for decision-making for obvious reasons, as we are all aware that leadership plays a critical role in such matters. Leadership is also important in policy formulation, and implementation regarding the direction the State, Sub-Region, Region, or World will take in regards to Global Warming. The most effective solution to this phenomenon is a concerted effort at all levels of life to ensure that their day-to-day activities are environmentally friendly.³ This then calls for an understanding of our environment so that global security is preserved and the human race doesn't fall into extinction.

So, what is global warming exactly? Global warming is the continuous increase in the earth's atmosphere temperature towards unbearable levels, which can't support life.⁴

The atmosphere is the realm that surrounds the earth and is made up of natural and man-made gases that are both useful in their normal composition to maintain equilibrium and provide the planet with its unique feature of supporting life. The force of gravity holds this composition of gases, known as the atmosphere, in place around the planet. Artificial gases are also known as chlorofluorocarbons (CFCs) or greenhouse gases. The normal composition of natural and artificial gases in the atmosphere is as follows:

Natural Gases - 99.93%: These include Nitrogen (N₂), Oxygen (O₂), and Argon (Ar).

0.07 percent: These include carbon dioxide (CO₂), methane (CH₄), nitrous oxide (NO), ozone (O₃), and water vapor (H₂O). From these atomic structures, we can understand the chemical composition of the air in our environment.⁵ Those who have studied chemistry with keen interest would confirm that the molecular structure of natural gas is symmetrical and stable, hence penetrable by radiated rays from the sun as well as reflected rays that bounce off the earth back to space. However, the molecular structure of artificial gases is asymmetrical and unstable, hence not easily penetrable by the sun's rays, especially the reflected rays from the surface of the earth, which ideally, once reflected, must go back to space.

² Milfont, Taciano L, 2010, "Global warming, climate change and human psychology." Psychological approaches to sustainability. p42

³ Kinzig, Ann P., Paul R. Ehrlich, Lee J. Alston, Kenneth Arrow, Scott Barrett, Timothy G. Buchman, Gretchen C, 2013, "Social norms and global environmental challenges: the complex interaction of behaviors, values, and policy." Vol 63, No. 3

⁴ Gore, Al, 2006, An inconvenient truth: The planetary emergency of global warming and what we can do about it. Rodale,

⁵ De Anil, Kumar, 2003 Environmental chemistry. New Age International Press.

Artificial gases hence hold on to the heat radiation within their molecules before eventually releasing the rays in an unpredictable direction, oftentimes back to the surface of the earth. Yet more heat continues to accumulate in the earth's atmosphere as the sun continues to radiate. This property earned artificial gases their name “**greenhouse gases**” because of their ability to hold on to heat within the earth's atmosphere envelope.⁶ This is similar to the actual greenhouses built to give conducive temperatures to plants. Crops are planted inside their photo-transparent shelters built to allow the sun's radiation inside and provide warmth to the plants, which may not be tolerant to cold temperatures in the natural environment of these greenhouses. With the greenhouse concept in mind, the importance of artificial gases (chlorofluorocarbons) can't be emphasized despite their very inferior composition in the atmosphere of below 1% of the total atmospheric gases.⁷

Their existence prevents the planet from experiencing extreme freezing temperatures of as low as -80°C and extremely hot temperatures as high as 100°C, as is the case on the moon, which is in the same range in terms of distance away from the sun. Indeed, without the presence of these artificial gases in the earth's atmosphere, nights would be cold, and days would be burning hot.⁸

“Too much English,” as it is said in our military circles, refers to something which does not make sense, but read on and see how mankind is the major contributor to the adverse global warming which is on the rise. This will become clear as we examine the human contribution to the causes of global warming, how the effects manifest, how mankind responds to these effects, and the economic implications.⁹

The Causes of Global Warming

There are many causes of global warming, but the following are among the main causes:

Burning of fossil fuels: This increases the emission of carbon and other artificial gases. Cars also emit carbon dioxide as they burn fuel during combustion. Industrial emissions are a major contributor to artificial gases.

Over-population: The world population has kept on increasing, and all human activities have risen exponentially. Settlement activities and the

⁶ Ball and Philip, 2010, “10 Transforming the Globe The Crises of Atmospheric Chemistry” Princeton University Press.

⁷ <https://www.space.com/greenhouse-effect.html>. 2021, August 21, 1.32pm

⁸ Oliver Ruppel, 2013, Climate Change: International Law and Global Governance, Nomos Verlagsgesellschaft mbH

⁹ Ibid

need for land for agriculture and building houses have led to deforestation, an action that increases the carbon dioxide content in the atmosphere. This artificial gas increases in the absence of trees because trees are natural filters of the air as they take in carbon dioxide from the air and give out oxygen, which is important to living organisms.¹⁰ Over-population also increases the methane content in the atmosphere as all herbivorous animals produce this gas naturally in their oxygen-starved stomach, where digestion takes place before excretion. Overpopulation alone accounts for up to 12% of the total carbon emissions in the earth's atmosphere. The causes outlined above are only among the many causes of global warming, as earlier alluded to, and the following are the ripple effects of global warming.¹¹

Effects of Global Warming on Security

Heatwaves sweep through forests, causing deadly fires which threaten the internal security of the affected state through the internal displacement of its citizens (IDPs). These fires ravage forests, as they have been in Australia and California, the United States of America, where combustible pine tree forests are prone to such wildfires regularly, hence sending people away from their homes as they seek safety. Apart from this natural cause of these fires, human input is also prevalent in the cause of such fires through cases such as arson, discarded cigarettes, and overhead electrical power line arcs due to contact.¹² At the end of the day, as long as there is a fire, then undesirable gases will be emitted into the atmosphere, and a reduction in the number of trees means a reduction in the natural filtration offered by the trees and plants in general, which in turn causes global warming.

Agriculture: Global warming has an impact on the water supply to crops. There is either too much water (due to storms), too little, or indeed completely nothing (drought) due to disturbed weather patterns. It is a fact that global warming may either result in too much precipitation or drought. Therefore, crop production will continue on a downward reduction curve globally if not controlled. Eventually, it will culminate in a staggering 3 billion of the world's population without food within the next century, as predicted by global statistics, thanks to the United States Education Scientific and Cultural Organization (UNESCO), which is the source of these statistics.¹³ A century

¹⁰ Daily, Gretchen.2003,What are Ecosystem Services" Global Environmental Challenges for the Twenty-First Century.

¹¹ Ibid

¹² Goudie and Andrew S, 2018, Human Impact on the Natural Environment. Wiley-Blackwell.

¹³ Council, National Research, 2010, Advancing the science of climate change. The National Academies Press.

may seem far enough to be conformable, but it will be devastating considering the generations ahead of us. Therefore, we are better placed to provide a solution for the future instead of being negligent.

Widespread Extinction of Species-Most the species that have previously existed on earth have gone extinct, and more have continued to get endangered due to failure to adapt to the ever-changing climatic conditions of the planet earth. Some of the endangered species facing extinction are the penguins, the sea seals, the polar bears, and the Atlantic codling, or Benthopelagic fish.¹⁴ These species are having difficulty adapting to the changing climate.

Mankind's Unusual Response to the Effects of Global Warming

Living conditions for mankind have been deteriorating due to extreme climatic conditions. These extreme conditions lead to several instabilities in affected communities, leading to instability and chaotic behavior. At this point, the effects loop back to us to haunt us in different ways, which may be unrelated to the root cause. For instance, in a case of crop failure, the immediate impact will be on national food security. A starving population will, in turn, affect public service deliveries. However, many underlying other effects may occur as humans respond to starvation.

These include illegal cross-border movements for food, increased crime, and the closure of multinational and national food-value industries; all of these factors contribute to economic challenges, causing national and regional instability.¹⁵ Inflation is the loss of value of a particular currency or, in other words, it is the reduction of the buying power of a currency, meaning too much money chasing too few goods. Therefore, it is important to note that the solution to the global warming challenges lies in our hands as the human race that is present today.¹⁶

There are several ways in which we can reduce the effects of climate change, such as recycling more of our waste than burning or disposal in landfills and Driving fewer carbon-emitting vehicles like the Nissan Leaf battery-electric car. Regular servicing (engine refreshing) of our automobiles can be a good environmentally friendly practice. We need to plant more trees for us to stay in an eco-friendly environment. Switch to renewable energy such as solar and energy-saving equipment, which has less demand for energy. Finally, we

¹⁴ Diamond, Jared M, 1989, "The present, past and future of human-caused extinctions." *Philosophical Transactions of the Royal Society of London*. pp 469-477.

¹⁵ Kornai, Janos, 1979, "Resource-constrained versus demand-constrained systems." *Econometrica: Journal of the Econometric Society* Vol 47. p801.

¹⁶ Ibid

engage with family, friends, and our communities on good practices which are eco-friendly.¹⁷ The aim is to cut down on the amount of carbon dioxide being released into our environment. The act of planting more trees does not require any technology or industrialization. Any country can go into this aspect. If you have never planted a tree in your lifetime, then you have yet to contribute to the fight against climate change. Planting trees reduces carbon dioxide, which is one of the dangerous artificial gases in the atmosphere.

Conclusion

With an increased understanding of our environment, we can individually make informed decisions instead of letting our day-to-day lifestyles lead us towards global devastation that will put the human race into a state of global insecurity. Through our efforts, we can save nature, too, for our benefit in balancing the ecological system. Many animal and plant species currently face extinction, and there is a threat to global security due to climate change. Therefore, we are duty-bound to embrace the understanding of the environment in our communities. The temperatures are rising, rainfall is above or below normal, polar regions are melting down, and the water levels are bursting. We can save our planet.

¹⁷ Nhamo, G, 2014, "Green growth: a game changer ushering in the death of the internal combustion engine." Witt Press. p55.

KENYA'S NATIONAL INEQUALITY AND UNDERDEVELOPMENT

Col Lawrence M. Ntoyai, 'psc' (K)-Kenya Army

Abstract

This article focuses on the key role played by devolution in addressing national inequality and underdevelopment as the main economic challenges confronting Kenya. Devolution is commonly understood to refer to the transfer of authority, resources, and personnel from the national to sub-national levels. The article was guided by two research questions, which were; what are the factors that determine the efficiency of devolution (decentralization)? What is the Constitutional and Legal Framework for Fiscal Decentralization in Kenya? Referring to such a definition, “devolved government or devolution is taken to describe a process of democratic decentralization which depicts the transfer of power and resources to lower (sub-national) levels of government that are both (relatively) independent of the national government and democratically elected.” One of the key components of the 2010 Constitution of Kenya was the creation of devolved units of governance, commonly known as counties. The desire of citizens to access public services closer to them was a key determinant for the creation of county governments. Kenya's adoption of the devolved system of governance places the citizens at the core of governance. Since independence, the country has experienced a myriad of challenges, which include political instabilities, national inequality, poverty, corruption, rampant unemployment, and other economic depravities that challenged the governance structure of the land. The Commission on Revenue Allocation (CRA), mandated with revenue sharing in the country, has formulated a formula based on key demographic and socio-economic factors. Although the revenue sharing formula has attracted intense public debate, it can be lauded for solving national inequality and being a practical remedy to underdevelopment in Kenya.

This article investigates the role devolution has played in solving national inequality and underdevelopment as key pertinent economic challenges confronting Kenya. To achieve that, this study offers a critical review of the concept of devolution, factors enhancing the efficiency of devolution, the rationale for devolution in Kenya; an assessment of the constitutional and legal framework for fiscal decentralization in Kenya; and the lessons learned concerning solving national inequality and underdevelopment.

Since independence, Kenya has experienced different instances of both socio-economic and political changes, which have shaped the nation-state's economic performance and socio-cohesion. The historical profile of the country indicates a socio-economic improvement signified by growth in Gross Domestic Product (GDP) and per capita income coupled with significant changes in social indicators. The country has also experienced episodic political instability closely related to the governance structure implemented in the country. In particular, 2007/2008 "Post-Election Violence" (PEV) provides a politically instigated conflict whose underlying grievances are socio-economically entrenched. National inequality, poverty, corruption, rampant unemployment, and other economic depravities challenge the governance structure of the land. Consequently, a change in constitutional structure was pursued, culminating in the 2010 Constitution of Kenya, which ushered in a decentralized governance structure-devolution. As the Institute of Economic Affairs (IEA) asserts, distinct governance structures lead to different results.¹ Devolution is one such form of governance that forms the reference for this article.

According to Potter, devolution refers "to the process of transfer of political, administrative, and fiscal management powers between the central government and lower levels of government, primarily operating at the city or region level."² The success of devolution results from the observation of basics such as "*subsidiarity*" and "*consensus*."³ Devolution helps in promoting good governance through the distribution of power over resources and public goods, which hampers corruption by powerful individuals. The political scientist has advanced both political and economic rationales for devolution. First, "devolution enhances democracy by bringing government closer to citizens. Second, by establishing different tiers of government, devolution provides mechanisms for protecting democracy by instituting vertical checks and balances. Third, by distributing authority and responsibility for fiscal management and public service delivery, minorities are given a stake in governance, and this reduces conflict among the population."⁴

The fundamental economic rationale for devolution is realized through improved governance in availing public services by enhancing the ability

¹Institute of Economic Affairs-IEA. (2010). *Devolution in Kenya: Prospects, Challenges and the future*. Nairobi: Institute of Economic Affairs

²Potter, J.G. (2001). *Devolution and Globalization: Implications for decision-making*: Paris: Organization for Economic Cooperation and Development (OECD) Publication

³Kimenyi S.M., & Meaghar, P. (2004). *Devolution and Development: Governance Prospects in decentralized states* (Eds). Hants: Ashgate Publishing Ltd, Chapter 1

⁴IEA-Kenya. (2010). *Devolution in Kenya: Prospects, Challenges and the Future*. Nairobi: Institute of Economic Affairs Publication

of resource allocation. According to Musgrave, “the closer the sub-national governments are to people than the central government, it enables it to acknowledge people’s preferences and needs, and this helps the local governments to address them.”⁵ Additionally, devolution enhances productive efficiency by promoting accountability, improving cost recovery, and reducing corruption.⁶ This is achieved by diminishing bureaucratic filters where devolution reduces the chances of disagreements between elected officials and civil servants. County-level budget constraints force local governments to reduce the cost of public goods and improve or focus on cost recovery. Additionally, devolution promotes social cohesion at the local level, which promotes cooperation that is essential for combating corruption. Finally, devolved units (in this case, counties) are best situated for controlling information asymmetry and, therefore, providing policies and services that suit local preferences.

This article is guided by the following research questions: What are the factors that determine the efficiency of devolution (decentralization)? What is the Constitutional and Legal Framework for Fiscal Decentralization in Kenya? This article utilizes the decentralization theory to conceptualize devolution as a remedy to national inequality and underdevelopment in Kenya. The theory of decentralization was propagated by classical theorists such as Alexis de Tocqueville, who argued that “decentralization leads to higher levels of political participation, gender equality, accountability, and administrative and fiscal efficiency.” The fundamental economic rationale for devolution is realized through improved governance in public service provision by improving the efficiency of resource allocation. The decentralization theory is applicable in this study since it informs the subject of devolution as well as explains how devolution can be the remedy to national inequality and underdevelopment in Kenya.

Empirical evidence on the factors which determine the efficiency of devolution depicts a mixed result, with different countries experiencing different impacts. For instance, while devolution in the federal states of India enhances government response in delivering public services amid very robust media scrutiny⁷, it has shown an exacerbation of regional inequality in the delivery of public services and economic results in Italy.⁸ Despite the mixed

⁵ Musgrave, A. (1959). *The theory of Public Finance: A study in Public Economy*. New York: McGraw-Hill

⁶ Ibid

⁷ Besley, T., & Burgess, R. (2002). The political Economy of government responsiveness: Theory and Evidence. *Quarterly Article of Economics*, 117(4), 1415-1458

⁸ Calamai, L. (2009). The link between devolution and regional disparities: Evidence from Italian regions. *Environment and Planning*, 41(2), 1129-38

results experienced in these two case studies, for devolution to succeed, certain fundamental conditions must be met in the country where the system is established.

The first pre-requisite condition that should be met before devolution is implemented is the institution of the “*constitution and legal framework*,” which clearly outlines the functions of each level of government and the rules which govern fiscal management and public service delivery approaches, as well as a mechanism for conflict resolution. This type of devolution is practiced in South Africa and Rwanda. These two countries adopted devolution after an ugly history characterized by *Apartheid* and *Genocide*, respectively. In the respective countries, devolution was seen as an urgent and vital political savior that could correct both political and economic problems in their country’s history. Similarly, devolution in Kenya came after deadly post-election violence (PEV). In South Africa, devolution was geared toward reconstructing the local communities and environments that are regarded as the basics for promoting democratic values and an interconnected and non-racial society. The impact of devolution in South Africa has seen devolved governments self-funding more than 80% of their running costs, thereby dismissing the claim that devolution is expensive.⁹

The second condition entails the availability of “*the political framework governing the electoral process*” at the sub-national level, which promotes direct engagement of the users of the service during the elections of political leaders. Consequently, locally elected political leaders are forced to address the needs and grievances of the electorate at that level. In this case, devolution becomes a response to the preferences of the local people since their preferences can be met at the local level. The third factor which influences the success of devolution is the “*fiscal decentralization framework*.” This involves the relocation of financial resources from the central government. The success of devolution depends on two important elements (factors): political and economic. With regards to economic factors, devolution stands for fiscal decentralization.¹⁰ This concerns how the central government and the devolved units engage with each other, especially on issues of money. The basic and most fundamental debate queries, “who has the right to tax citizens and businesses?” How will revenue be shared between the national government and devolved units, and how does the national government deal with devolved units that generate more revenue than others?”

⁹ Nkomo, O. (2018). *Devolution has worked in other Countries*. Johannesburg: Newsday Publication

¹⁰ Rao, G. (2000). *Fiscal decentralization in Indian Federalism*. Bangalore: Institute for Social and Economic change

To answer the above questions, it is important to acknowledge that different countries deal with fiscal decentralization in different ways. India presents a suitable case study on fiscal decentralization due to various factors such as size and the complexity of the institutions. The most important idea of fiscal decentralization in India is the element of separation, meaning that taxation groupings are allocated to the center of the states.¹¹ According to Rao and Singh, the majority of broad-based taxes have been allocated to the center. However, other taxes are allocated to the states. The separation of income tax powers between the center and the states relate to the source, especially if it's from agriculture.

Summarily, fiscal decentralization (taxation) in India is according to the list system provided for by the constitution, where there is the union list and the state's list. The outcomes of India's assignment and execution of taxes and expenditure authorities have led to a vertical imbalance, where the center caters to some of the state's expenditures. While this was originally expected, the constitution recognized the sharing of revenues from specific centrally levied taxes with the states.¹²

In South Africa (South Africa has nine provinces and a central government headquartered in Pretoria), according to the constitution, the parliament and sub-national governments should be advised by an impartial "financial and fiscal commission" (FFC) on different matters related to intergovernmental fiscal relations. This entails the authorities involved in taxing, assignment of revenues as well as grants between different agencies of government. The fourth factor for the success of devolution rests with the *sharing of information*. To boost the capacity of devolution, information associated with costs, gains, and the recipients of public services ought to be shared between different players and the government. Sharing of information encourages accountability and ensures there is transparency in the dealings of the government.

The fifth factor necessary for the success of devolution concerns *citizen participation*. For devolution to work efficiently, it must allow for public participation on matters of their governance, where they can contribute to decision-making and express their grievances to the government at the local level. Various strategies can be adopted by citizens to engage in service delivery. They include public hearings where citizens can voice their concerns; elections where citizens have the opportunity to elect their leaders and vote out any errant leaders they deem unsuitable to lead them; legal recourse where citizens

¹¹ Rao, M., & Singh, N. (2006). *The political Economy of India's Fiscal Federal System and its reform*. Bangalore: Institute for Social and Economic change

¹² Ibid

can petition the government on certain issues of concern to them; and through the Ombudsman where citizens can lodge complaints relating to public service delivery. Citizen participation is, therefore, a critical element in the realization of successful devolution.

Finally, for devolution to succeed, there must be “*adequate capacity in the form of human capital*” coupled with appropriate equipment and technology that provides a conducive environment for the personnel to deliver public service efficiently. Adequate human capital offers administrative decentralization where some functions which entail budgeting are rested on semi-autonomous public authorities. The main goal of administrative decentralization is to enhance the administrative field units of the civil service.¹³

Before the promulgation of a new constitutional order in Kenya, there were eight (8) provinces that were led by the “provincial commissioner” (PC), who was assisted by “District Commissioners” (DC), “District Officers” (D.O), and “Chiefs and Assistant Chiefs.” The entire provincial administration was a department under “the Ministry of State for Provincial Administration and Internal Security in the Office of the President.” The unlimited powers granted to the provincial administrations made them powerful regional kingpins who administered on behalf of the regime in power. This form of governance centralized power and authority and blurred the line between what is private and what is public. Consequently, Kenya suffered poor governance characterized by arbitrariness in the application of the rule of law, grand corruption, and general underdevelopment, which Ghai posits reduces the authority of the government over the people.¹⁴ Such a state of affairs created an environment of unprecedented economic decline and mismanagement coupled with unhealthy relations between the state and civil society organizations.

The agitation for constitutional review was a long, bruising and costly affair that saw the country reject a proposed constitution in 2005 during a constitutional referendum, but on August 4th, 2010, Kenyans voted affirmatively for decentralized and local governance in Kenya with more than two-thirds (67%) majority voting for a landmark 2010 Constitution of Kenya which among other things created a devolved structure of governance (county governments).¹⁵

Fiscal decentralization forms the backbone of devolution, where financial resources are decentralized to the forty-seven (47) counties in Kenya in the

¹³ Oloo, A. (2006). *Devolution and Democratic governance: Options for Kenya*. Nairobi: IPAR

¹⁴ Ghai, Y.P. (2006). *Law in the Establishment and Management of Decentralization*. Hong Kong: University of Hong Kong

¹⁵ Ntara, C. (2013). Devolution and Expected Impact in Kenya. *International Article of Professional practice*. 4(1-2), 2

current constitutional dispensation. Historically, fiscal decentralization can be traced to “the sessional paper No.10 of 1965 on African Socialism” and how it has been utilized in planning in Kenya, which advocated for taking public finances and management across the different levels of government, particularly district emphasis for rural development. Since the adoption of the Constitution of Kenya in 2010, revenue allocation has been mandated by the Commission on Revenue Allocation (CRA). Four principles govern fiscal decentralization in Kenya. They include “expenditure responsibilities, revenue assignment, intergovernmental fiscal transfers, and sub-national government borrowing.”

Fiscal decentralization has three main objectives, which include efficiency, income redistribution, and macroeconomic stability. According to Articles 201 and 202 of the Constitution, “the revenue collected by the government is to be shared fairly among the two tiers of government based on openness, accountability, and public finance management principles.” According to the revenue sharing formula provided by the “Commission for Revenue Allocation,” the counties should get 15% of the total national revenue.¹⁶

Article 212 provides for countries to borrow funds, but the accounts are subjected to relevant national systems. The “Commission on Revenue Allocation” (CRA) is a constitutional body that deals with revenue allocation in Kenya between various levels of government in an equitable way. The commission on revenue allocation recommended to the National Assembly (N.A.) a formula for sharing revenue among counties utilizing certain parameters. The formula for sharing revenue determines how the money that is allocated to counties will be shared, but not how much money in total is to be shared.¹⁷ A county receives money based on its four parameters: population, poverty, land area, and fiscal responsibility.

According to the CRA revenue sharing formula, the population parameter accounts for 45% of sharable revenue, which is the county’s share of the national population.¹⁸ The parameter ensures equal per capita allocation to all counties. The Basic Equal Share attracts 26%, and the parameter is premised on the presumption that the administrative cost of running county governments is similar for all counties and therefore ensures an equal share to counties to run their governments. The amount to be distributed equally is divided into 47 equal parts.¹⁹ The poverty level is another parameter for revenue sharing,

¹⁶ IEA, Op Cit.

¹⁷ Available online at; <https://cra.go.ke/downloads/> CRA Recommendation on the Basis of Equitable Sharing of Revenue between National County Governments for FY2020/21.

¹⁸ Ibid

¹⁹ Ibid

which uses the poverty gap measure for all counties.²⁰ The poverty gap measures the extent to which individuals or households fall below the (rural or urban) poverty line. This parameter attracts 18% and is calculated using “the Kenya Integrated Household Budget Survey 2005/06” and the 2019 Kenya Population and Housing Census.²¹

Land area is a parameter for sharing national income among counties. Landmass attracts 8% of sharable revenue, and it measures the land area of a country as a percentage of the total land area in Kenya. The other parameters include fiscal responsibility and development factors, which attract 2 and 1 percent of sharable revenue. Fiscal responsibility is “a parameter which is calculated from each county’s annual revenue increase per capita.” It aims at persuading counties to enhance revenue collection and promote fiscal cautiousness, while the development factor stresses issues such as improving infrastructure, availability of basic needs such as food and water, as well as enhancing economic growth.²²

Several lessons have been learned in Kenya since the implementation of devolution among the 47 counties established after the promulgation of the Constitution of Kenya 2010. Whereas the lessons are spread across the broad spectrum of both political, social, and economic spheres, key economic lessons constitute the objective of this article. An evaluation done by UNDP on the implications of devolution in Kenya established that improvement of service delivery has been most effective when local governance reforms are supported with adequate resources, both financial and human, as well as robust policy frameworks. This helped to ensure that delivery of services is subject to the rule of law and is procedurally done, above board, and not personalized.²³

Further, the UNDP’s evaluation report revealed that local governance projects are affected by various factors, which include the involvement of different actors, cooperation and coordination among various institutions and players, and resource allocation, among others.²⁴ Despite the fact that the constitution requires the decentralization of 15% of national revenue to counties, the shareable income received by devolved units is less than the prescribed amount. The majority of the counties have complained of the allocation of inadequate resources compared to the functions that have been

²⁰ Ibid

²¹ Ibid

²² Ibid.

²³ UNDP. (2015). *Lessons learnt for Devolution; From Reform to Transformation: UNDP’s Support to Public Sector Reforms in Kenya*. United Nations Development Programme-Kenya. Nairobi: UNDP-UNON

²⁴ Ibid

devolved.²⁵

Devolution in Kenya can be hailed as a noble governance aspect desired by a majority of Kenyans, as expressed by the Constitution of Kenya 2010. The primary objective of devolution was to decentralize authority and resources closer to the Kenyan public. The creation of 47 counties in Kenya decentralized political and economic authority, shaping both the macroeconomic and social stability of the Kenyan nation-state. The Commission on Revenue Allocation (CRA), mandated with revenue sharing in the country, has formulated a formula based on key demographic and socio-economic factors. Although the revenue sharing formula has attracted intense public debate, it can be lauded for solving national inequality and being a practical remedy to underdevelopment in Kenya.

²⁵ Regional Durable Solutions Secretariat (ReDSS) / Samuel Hall. (2015). *Devolution in Kenya: Opportunity for Transitional Solutions for Refugees? Analyzing the impact of devolution on refugee affairs in refugee hosting counties*. ReDSS-Danish Refugee Council . New York: ReliefWeb

SUSTAINABILITY FUNDAMENTALS

Col Maurice O Owende - Kenya Army

Abstract

Sustainability is the key to minimizing or lessening the effects of environmental concerns. The quest for perfection in ecosystems' dynamic interactions between plants, animals, and microorganisms and their surroundings is environmental sustainability. Ecosystems will decline if the composition does not remain balanced because each organism has a role to play. Human activities, including urbanization, industrialization, and agriculture, have produced an environmental imbalance and necessitated sustainability. The research question establishes the linkage between the environment and sustainable development. This article identifies poverty, pollution of the air, water, and land, greenhouse gas emissions, climate change and global warming, infrastructure development, energy requirements, and solid and hazardous waste management as the long-term threats to environmental sustainability. These phenomena have outgrown nature's ability to adapt or self-replenish on a global scale. The article adopts the Liberalism theory of international relations, which argues that states can rely on cooperation through international institutions to tackle global problems since humankind's environment is a common concern. As such, environmental issues have seized the entire world's attention, with all international and regional authorities making them an integral priority. Kenya's location in the tropics and Sub-Saharan Africa demands vigilant environmental management for future generations. Kenya has responded to this reality by establishing the required environmental governance institutions in its Ministries, Departments, and Agencies (MDAs). The United Nations Conventions and Treaties, Kenya's 2010 Constitution, and the Environmental Management and Coordination Act of 1999 (EMCA) and its accompanying regulations provide the legal basis for environmental stewardship. The environment is vital to all sectors of Kenya's economy, including the security sector, and demands a more significant push to pursue sustainable development. The article concludes by prescribing sustainability fundamentals for attaining a critical balance in which most Kenyans overcome poverty. At the same time, environmental extraction has to remain below the maximum ecological footprint per capita to enhance future generations' ability to satisfy their own needs.

Key Words: Sustainability, Sustainable Development, Environment, Climate Change.

Introduction

The concept of sustainable development thrives on the assumption that human civilizations must exist and satisfy their own needs without harming future generations' capacity to do so.¹ In the long term, it is a way to organize society through environmental and natural resource conservation to achieve social and economic equity.

The environment is a core value for the survival of Kenya as a stable and robust state and is a determinant of the economic prosperity and well-being of Kenyans.² Climate change and environmental degradation are intrinsically related to resource-based conflicts. Kenya has five climatic zones: highland, tropical wet-dry, tropical wet, arid, and semi-arid.³ Arid and semi-arid lands (ASALs) account for over 70% of the land, implying that agriculture and other productive land use share the remaining 30% to sustain Kenya's population. Consequently, internal tensions will continue to rise due to climate change, erratic weather patterns, and scarcity of resources such as water and pasture. Transboundary resources are equally affected by adverse environmental impacts. Therefore, it is a supposition that only sustainable solutions assure the state's survival for future generations, hence the significance of the environment as a core value of the national interest.

This article adopts the Liberalism theory of international relations, which argues that cooperation is possible although states operate in an anarchic environment. States can rely on cooperation through international institutions to tackle global problems. In this sense, since the environment poses transnational challenges, global cooperation is critical. Additionally, sustainable development requires strategic approaches with environmental security as the primary objective. Therefore, sustainability portends a synergistic and cyclical relationship between the environment and development. The research question is thus to establish the linkage between the environment and development and prescribe sustainability fundamentals.

The concept of sustainable development dates back to a 1968 essay titled "The Tragedy of the Commons" by an ecologist and philosopher named Garret Hardin. He argued that if individuals act rationally, independently, and

¹ Brundtland, Gro Harlem. "Our Common Future - Call for Action." Environmental Conservation 14, no. 4. 1987.

² Kenya's Defence White Paper. 2014.

³ University of Oxford. 360o Atlas. Oxford University Press East Africa Ltd. 2013.

exclusively to pursue their interests, they will ultimately work against their communities' common interests and deplete the planet's natural resources.⁴ In this sense, unrestricted human access to and use of finite resources would deplete those resources.

A few years after Hardin's essay, some scientists developed a simulation of a planet with finite resources based on the interactions of several parameters, including global population growth, industrialization, pollution generation, food production, non-renewable resource depletion, and the impact of technology on resource availability. According to these simulations, significant evidence indicates that an economic and societal collapse could occur by the end of the twenty-first century if the man does not impose growth constraints.⁵ These scientific simulations lend credibility to the concept of growth limits and sustainable development. The United Nations (UN), bolstered by these simulations and the experience of several ecological and social crises worldwide, launched a global awareness campaign and the search for sustainable solutions.

Global concerns over the environment have escalated since 1972 when Stockholm hosted the inaugural UN Conference on Environment and Sustainable Development. A series of international conferences to drive the environmental integrity and sustainable development campaign followed. Geneva, Switzerland, hosted the first World Climate Conference in 1979, while Toronto, Canada, hosted the World Conference on the Changing Atmosphere in 1988. In 1992, the UN hosted the Rio de Janeiro Earth Summit, where over 160 parties initiated the United Nations Framework Convention on Climate Change (UNFCCC). Other significant events include the United Nations Climate Change Conference in Berlin in 1995; the adoption of the Kyoto Protocol in 1997; and the 2000 Millennium Summit in New York, which resulted in the establishment of the eight Millennium Development Goals (MDGs). The United Nations Conference on Sustainable Development in Rio de Janeiro in 2012 established a new set of sustainable development goals (SDGs) to replace the MDGs. In 2015, the Parties to the UNFCCC enacted the Paris Agreement. In between and after, there have been several other global mutual undertakings under the auspices of the UN, which have resulted in several conventions and Multilateral Environmental Agreements (MEAs) for global environmental stewardship. The 193-member UNGA endorsed the 2030 Agenda for Sustainable Development and the SDGs in New York in 2015. The SDGs synthesize sustainable development's social, environmental,

⁴ Hardin, Garrett. "The tragedy of the commons. Hardin and Baden (eds) *Managing the Commons*." 1968.

⁵ Meadows, Donella H., Jorgen Randers, and Dennis L. Meadows. *The Limits to Growth* (1972). Yale University Press, 2013.

and economic components. The Kyoto Protocol explicitly asserts that climate change and its adverse consequences are a shared human concern. The protocol took effect in 2005. The African Union (AU) has linked the achievement of the SDGs to its Agenda 2063. Natural resources and the environment are part of the five pillars of the East African Community's (EAC) Vision 2050. The Constitution of Kenya (2010) anchors environmental sustainability in its preamble.

Domestication of Environmental Sustainability's Legal Framework

The preceding discourses have shaped the world's reaction to adverse environmental consequences. Kenya domesticated global trends through the enactment of multiple pieces of legislation. The Environmental Management and Coordination Act No. 8 of 1999 (EMCA), which established the National Environment Management Authority (NEMA), consolidated all environmental legislation into a unified framework. The legal instruments are to bring harmony to the country's environmental management. Kenya established the appropriate sustainability governance structures, i.e., Ministries, Departments, and Agencies (MDAs). The Ministry of Environment and Forestry facilitates enabling policies and legal and regulatory reforms and promotes environmental and forest resource sustainability while minimizing climate change.⁶

The Ministry of Water, Sanitation, and Irrigation contribute to national development by promoting and assisting with integrated water resource management to improve water supply and accessibility.⁷

The Ministry of Energy formulates and implements policies that foster Kenya's energy sector's efficient operation and expansion. The Ministry provides strategic directives to promote the sector's growth while providing a long-term vision for all sector participants. The objective of the Ministry is to ensure the provision of clean, sustainable, cheap, dependable, and secure energy services for national development while conserving the environment.⁸

⁶ The Ministry of Environment and Forestry Website. <http://www.environment.go.ke>. Accessed on 18 August 2021.

⁷ The Ministry of Water, Sanitation and Irrigation Website. <https://www.water.go.ke>. Accessed on 18 August 2021.

⁸ The Ministry of Energy & Petroleum Website. <https://energy.go.ke>. Accessed on 18 August 2021.

Environmental Sustainability Risks

There are various risks to environmental sustainability in Kenya, requiring focused responses to mitigate.

Poverty is the greatest danger to environmental conservation since the impoverished rely on the direct extraction of natural resources for their basic human needs (subsistence, shelter, and fuel). The poor also bear the brunt of environmental hazards such as pollution and its adverse effects on human health and safety because they cannot cope with these hazards. Therefore, the challenge is to generate socio-economic development that uplifts most of Kenya's population above poverty.

Pollution refers to the introduction of contaminants into the environment. Pollution comes from human activities such as industrial and agricultural practices and forms of transportation. Land pollution, air pollution, and water pollution are the three major pollution types whose control requires an integrated approach.

Other priorities involve the protection of water catchments and bodies. Groundwater extraction (boreholes), rainwater harvesting (dams), water recycling (recycling plants), and pollution management and prevention are the minimum means to satisfy the demand.

Technological solutions have made it easier for the energy sector to harvest energy from renewable sources, lowering biofuel and CO₂ emissions. Hydro, geothermal, solar, wind, and bio-energy are Kenya's alternative clean and sustainable energy sources.⁹ Kenya's energy sector presently has an installed capacity surplus of about 1000 MW. With less than 60% of its electricity mix originating from fossil fuels and massive hydro, the country has successfully absorbed more renewable energy than countries in the region.¹⁰ Kenya intends to achieve universal energy access by 2022.¹¹ The private sector's involvement in the industry has also boosted clean energy drives with its three bottom-line approaches that incorporate environmental integrity with profit and loss accounts. Utilizing renewable energy has a low environmental impact, produces little secondary waste, and is economically and socially sustainable in the long run. Kenya's solar potential exceeds 5,000 megawatts.

⁹ Energy and Petroleum Regulatory Authority (EPRA) Website. <https://renewableenergy.go.ke>. Accessed on 22 August 2021.

¹⁰ GET.invest is a European programme that mobilises investment in renewable energy in developing countries. Website. <https://www.get-invest.eu>. Accessed on 18 August 2021.

¹¹ Ibid.

At present, the installed capacity exceeds 100 MW, with Garissa Solar being the largest facility with 55 MW of installed capacity.¹² The critical energy challenge in sub-Saharan Africa is managing the transition from fossil fuel-generated energy to renewable energy, which is at the center of the imbalance between the global north and global south.

Infrastructure development is another source of sustainability risk. Infrastructure, often known as the built environment, produces direct and indirect environmental impacts throughout its entire life cycle; during construction, occupation, refurbishment, repurposing, demolition, decommissioning, energy consumption, water use, and material sources. The building cycle processes generate waste and potentially dangerous emissions into the atmosphere.¹³ Many materials extracted from the earth's crust are used to make building materials and goods. Construction and demolition trash form a significant waste stream. Building operations burden raw water reserves, while wastewater and sewage require cleansing before discharge into the environment. Water conservation techniques and efficient wastewater treatment methods are critical, alongside effective land use planning.

Of utmost importance is the preservation of ecosystems and biodiversity. The term "biodiversity" refers to the collection of all plants, animals, fungi, and microorganisms that exist on earth, as well as the communities and ecosystems they form.¹⁴ Species diversity is unevenly distributed, with tropical habitats having the highest numbers. Habitat destruction is the leading cause of irreversible biodiversity loss and is a significant threat to biodiversity hotspots. An ecological footprint measures ecological performance, which refers to the maximum consumption per person based on the earth's ecological potential.

Solid waste management is crucial to sustainability. Human activities produce waste items, and many of these waste items can be helpful if properly handled. Waste management has risen to prominence as one of the most critical issues of our generation.¹⁵ The 5Rs of refuse, reduce, re-use, recycle, and rot are the means to waste reduction.

The mode of disposal of hazardous waste is also essential. Hazardous waste refers to any waste that could significantly harm human health if not managed appropriately. Hazardous waste is produced mainly by industrial operations

¹² Energy and Petroleum Regulatory Authority (EPRA) Website. <https://renewableenergy.go.ke>. Accessed on 22 August 2021.

¹³ Vierra, Stephanie. "Green building standards and certification systems." Whole building design guide (2016).

¹⁴ Dirzo, Rodolfo, and Peter H. Raven. "Global state of biodiversity and loss." Annual review of Environment and Resources 28, no. 1 (2003): 137-167.

¹⁵ Tchobanoglous, George, and Frank Kreith. Handbook of solid waste management. McGraw-Hill Education, 2002.

and households, to a lesser extent.¹⁶ The relevance is the same as pollution but is riskier because improper disposal is concealable while its action and impacts are long-term.

The chemical industry has produced significant economic benefits, but some result in producing toxic substances such as pesticides that are detrimental to the environment.

Sustainability Fundamentals

This article identifies the fundamentals that apply to environmental threat analysis and the pursuit of sustainability. Environmental awareness is crucial for guiding decisions at all levels, even in making economic compromises.

Significant investment in Science, Technology, and Innovation (STI) is critical for increasing nature's regenerative ability. STI will encourage the use of renewable energy sources and strengthen the capacity to provide safe drinking water and hygienic sanitation; appropriate health care; green and sustainable infrastructure; agricultural production; disaster management; and quality and equitable access to education.

The promotion of green infrastructure via certification promotes compliance with environmental conservation legislation.¹⁷ The certification confirms that a product satisfies the specified criteria of a standard. These facts prompted the development of certifications and rating systems for green buildings to minimize the environmental impact of infrastructure development through sustainable design. Bio-climatic designs reliant on natural lighting, ventilation, and efficient transport systems are certified.

Climate change adaptation presents an opportunity to accelerate Kenya's transition to a climate-resilient development model based on lower greenhouse gas (GHG) emissions. The Glasgow Climate Pact, adopted during the Conference of Parties 26 (COP 26) held in November 2021, is the negotiated version of the 2015 Paris Agreement, which capped the increase in global temperature by 2050 at less than 1.5 degrees Celsius. Three-quarters of the world's nations had submitted their revised Nationally Determined Contributions (NDCs) by the Glasgow event. Developing countries' financial and technical requirements for climate change adaptation are USD 100 billion annually at the minimum.¹⁸ The developing countries already feeling the full impact of climate change need support since they host the world's poorest and

¹⁶ Portney, Paul R. Public policies for environmental protection. Routledge, 2016.

¹⁷ Vierra, Stephanie. "Green building standards and certification systems." Whole building design guide (2016).

¹⁸ United Nations Development Programme Website www.undp.org. Accessed on 27 February 2022.

most vulnerable communities experiencing the climate crisis. COP 26 resulted in an agreement for accelerated financing of the commitment, phasing down rather than phasing out of fossil fuel usage in Africa and the global carbon offset markets. Access to climate finance flows and carbon asset systems is an opportunity for new funding sources to allow the government to secure international funding for bold climate-resilient and low-emission development initiatives. By contrast, the private sector can sponsor projects that earn carbon credits for global markets, explore new green economic opportunities, and create green jobs. COP 26 thus seemed to bridge the global north and the global south's commitments to climate change adaptation.

- Development that combats unemployment, food security, and poverty while addressing climate change can prioritize vulnerable groups for resilience building.¹⁹ The vast ASALs can contribute to sustainable production by applying appropriate production techniques.
- Environmental management should incorporate climate change responses into national and lower-tier governments and facilitate effective citizen participation in climate change programs. In this sense, the devolved system of government would function as an appropriate instrument for climate change governance.
- The government may consider proffering economic incentives for environmental protection to compliant practices to promote environmental sustainability, which may be through the taxation system.
- Promotion of exploration programs for more natural resources to drive sustainable development should be encouraged, similar to the recent discoveries of oil and water in Turkana.
- Lastly, monitoring and evaluation (M & E) of the environment and human development indices (HDI) make tracking economic and social progress easier.

Conclusion

This article concludes that Kenya's prosperity relies on the pursuit of sustainable development to strike the critical balance between socio-economic development and environmental stewardship. Attaining an idealistic balance in which most Kenyans cross the minimum HDI/poverty line but remain below the maximum ecological footprint per capita enhances future generations' ability to satisfy their own needs. The critical balance is a sure way to unlock the

¹⁹ Marigi, S. Climate Change Vulnerability and Impacts Analysis in Kenya. American Journal of Climate Change. 2017.

potential for nature to replenish itself. The United Nations family remains at the forefront, helping countries cope and adapt to climate change as a common concern for humankind, validating this article's theoretical framework.

SOCIO-ECONOMIC IMPACTS OF COVID-19 IN KENYA

Col Bernard M Oluoch 'psc' (K) – Kenya Air Force

Abstract

When COVID-19 was declared a global pandemic, it became apparent that our socio-economic landscape would be disrupted. The first case of COVID-19 in Kenya was reported on March 13, 2020, and the cases have continued to rise rapidly. Within the East African region, Kenya has the highest number of reported infections and deaths compared to its neighboring countries. The quick spread of infections could be attributed to poverty levels, overcrowding, and poor access to basic services such as sanitation and hygiene, as well as clean water, especially in informal settlements, and weak health infrastructure.¹ When the first COVID-19 case was reported, the government quickly put in place various strategies to limit the spread. Initially, the government, through the Ministry of Health (MoH), quickly created Rapid Response Teams, set up an Emergency Operations Centre, and established an isolation and treatment unit at Kenyatta National Referral Hospital. Further, the MoH trained over 1,500 clinicians as rapid responders to the outbreak. The government went ahead and instituted other measures, including the closure of public spaces with high human traffic, such as churches, bars, restaurants, and eventually schools; curtailing public events; reducing passengers on public transport; limiting movement in places with reported cases; dusk-to-dawn curfews; restriction of movement in and out of the country; and ensuring basic hygiene and social distancing. These precautionary measures have had and continue to have negative socio-economic impacts on workers and businesses. The country has seen significant job cuts in various sectors, as well as a drop in business income and available working hours for employees. to be felt both in the short and medium-term.

Introduction

The month of March marks about 2 years since the first case of COVID-19 was recorded in Kenya. Even though the experience in Kenya as compared to other parts was different, the period has been a season of adapting to a new normal. The former way of life was reset and the population had to adapt to new and unfamiliar routines. For example, the period was marked by a

¹ Were, Maureen. *COVID-19 and socioeconomic impact in Africa*. WIDER Background Note12020/3). UNU-WIDER, 2020.

disruption in the country's school calendar as the children had to be taken out of school. Similarly, people had to avoid places of worship to protect believers, their families, and neighbors. To protect the elderly, visitations were restricted. The curfews imposed evoked anxiety, and the lockdowns brought with their uncertainties. This became the uncomfortable and unfamiliar new order with serious disruptions to Kenya's socio-economic fabric. Despite the Kenyan government's quick policy actions and decisions, the question is how much of a socioeconomic impact the COVID-19 pandemic had on Kenya.

What is socio-economics?

Social economics examines the interconnectedness and or relationships between social behavior and economics, or vice versa. It studies and considers how social beliefs and norms influence consumers. Social-economic theorists pivot on how the economy affects society in terms of progression or regression.

The socio-economic effects of COVID-19 in Kenya are likely to have a far greater impact on the long-term wellbeing, health, and poverty levels of the population. Transport, housing, health, labor, trade, and tourism are among the industries hardest hit by the virus. The supply of and demand for goods and services in these sectors have been significantly hampered. Moreover, movement restrictions in and out of the country have dwindled revenues from the tourism and aviation sectors, while delays at borders due to testing of truck drivers have resulted in losses to businesses.

Impacts on the transport sector

The government, through the Ministry of Transport, instituted a range of measures for public and long-distance freight transportation which directly or indirectly affected the transportation sector. Such measures include the following: the reduction of passengers on public transport; dawn to dusk curfews; restriction of movements among counties; work from home policies; closure of schools; closure of bars and restaurants; suspension of physical worship activities; and limiting the number of funerals, weddings, and other public gatherings. Weekly non-food and livestock markets were also suspended. Long-haul transporters also had to get their COVID-19 test before setting off on their journeys.

These measures did not only increase the costs incurred by vehicle operators but also reduced the number of passengers using public transport due to the increase in fares charged by operators to offset higher costs. Because of the high cost of transportation, Kenyans, particularly those living in poverty

and the vulnerable, who had previously relied on public transportation, have turned to other modes of transportation such as walking and riding bicycles or motorbikes. Public transport providers suffered losses as many workers (a high proportion of those who use public transport to commute) elected to work from home. Some public transport vehicle owners decided to ground their vehicles, which meant a loss of income for the drivers and conductors.

On the plus side, Kenyans in the middle and upper classes preferred cabs and private vehicles, and some businesses provided employee transportation. As the result, the number of taxi companies and their earnings increased.

With travel restrictions to Mombasa and Nairobi, cross-country travel essentially came to a halt. In addition, many people in urban areas have resorted to working from home, and are likely to continue doing so even after COVID. Recent traffic volume counts indicate up to a 15% reduction in traffic volumes along major highways in Nairobi.

The full extent of the impacts of COVID will only become clearer in the future. The World Bank envisions a 5.2% contraction in global GDP with deep recessions triggered by the pandemic over the longer term, leaving lasting scars through lower investment, an erosion of human capital through lost work and schooling, and the fragmentation of global trade and supply linkages. In the US, the Energy Information Administration forecasts a drop in fuel consumption of at least 10% for gasoline (motor vehicles) and 30% for jet fuel, respectively.

Working from home, social distance on public transit, hand sanitizing, and washing are all COVID-19 protocol measures that are expected to remain in place in the long run, notwithstanding certain regulatory actions. As a result, higher public transportation fares are likely to remain in place for some time. Low-income earners can only offset the economic impact by choosing less expensive modes of transportation, such as bicycles or motorcycles.

The global aviation industry was also adversely affected, and the national carrier Kenya Airways was not spared. To mitigate the loss of revenue, the airline instituted measures including reducing the salaries of all staff, including the Chief Executive Officer and sending non-critical staff on annual leave. The airline also canceled the majority of its flights, placed some aircraft in long-term storage, and converted some of its fleets from passenger to cargo aircraft. Air operators, feeling the pinch of grounded aircraft, requested the government to financially cushion the industry due to passenger decline.

The Effect on the Housing and Rental Market

The real estate sector, like the country's economy, was poised for growth in 2020 and has begun to show signs of recovery in 2019 after experiencing sluggish growth in 2017 and 2018. This was evidenced by the sector's growth, which came in at 5.3% in 2019, 1.2% points higher than in 2018, according to the KNBS Economic Survey 2020. According to our Cytonn Q1'2020 Markets Review, the real estate sector recorded moderate activity, with average rental yields improving marginally in the residential and commercial office sectors to 5.2% and 7.8%, respectively, from 5.0% and 7.5% in Q4'2019, while the retail sector registered a 0.1% drop in rental yields to 7.7% in Q1'2020, from 7.8% in Q4'2019. It is, however, important to note that, while the first Kenyan case of coronavirus was reported in March 2020, its effects on the real estate sector had not been fully felt by the end of Q1'2020.²

COVID-19 caused unprecedented disruption to the Kenyan economy over the last few months. The immediate impact on the sector has been: reduction of the labor force and disruption of supply chains, which is expected to translate into longer development periods; a slowdown in building approvals as public offices such as City Hall remain closed; reduced construction activities by developers in a bid to reserve their cash at a time when market liquidity is likely to decline; little to no collections for those who have purchased off-plan real estate on installment plans; and reduced funding to the sector due to general risk aversion during the pandemic.

As a result of job losses, pay cuts, or delayed employee salaries caused by the virus, poor people find it hard to fulfill their daily needs and pay bills, including rent. The majority of Kenyan tenants, particularly those who rely on informal jobs, discovered that they were unable to make regular rent payments. Landlords, on the other hand, were having difficulty making ends meet. Because of the income uncertainty, some landlords canceled tenants' leases, while others evicted those who could not pay. Other landlords resorted to turning off basic amenities such as water. Tenants who did not have access to waivers or relief from their landlords had little choice but to look for cheaper accommodation or, worse, still, return to their rural homes.

Due to the government's encouragement for firms to allow employees to work from home, numerous employers took advantage of the option to surrender their office premises due to low business returns. As a result, money from office space rentals was lost.

² <https://cytonnreport.com/research/cytonn-q12020-markets-review#real-estate>

Impact on food security and nutrition.

Kenya was already dealing with a locust infestation and flooding when COVID-19 was discovered in March 2020. The virus posed a triple threat to the country. At the end of December 2019, the country was experiencing the worst locust infestation in 70 years, and by mid-May 2020, floods had killed over 200 people in central and northern Kenya.³ The COVID-19 restricted the mobility of people, equipment, and materiel, and a possible change in key actors' attention toward the pandemic slowed efforts to resolve other emergencies, such as the locust outbreak.⁴

Because of declining incomes, most citizens in most urban areas of the country – particularly Nairobi and Mombasa, which were largely unaffected by COVID-19 – were concerned about having enough money to buy food. Food purchasing habits changed, especially for low-income households that were forced to buy only the most necessities throughout the outbreak.⁵

The impact of COVID-19 on the overall economy would equally affect the agricultural sector, which directly leads to an adverse impact on food security and nutrition. The pandemic coincided with the start of the planting season for maize, a major staple food. This meant that food stocks were destined to decline and prices of food items to increase. This had a direct effect on the poorest and most vulnerable segments of the population. Travel restrictions at night, as well as a curfew, exacerbated the situation. Stricter measures at border crossings with Tanzania (Namanga, Holili, Horohoro, and Isebania) and Uganda (Busia and Malaba) resulted in logistical problems. Furthermore, food security was challenged because of the global spread of COVID-19 as some countries restricted food exports.

³ Kithiia, Justus, Innocent Wanyonyi, Joseph Maina, Titus Jefwa, and Majambo Gamoyo. "The socio-economic impacts of Covid-19 restrictions: Data from the coastal city of Mombasa, Kenya." *Data in brief* 33 (2020): 106317.

⁴ Government of Kenya. "IPC Acute Food Insecurity and Acute Malnutrition Analysis, February 2020–July 2020.

⁵ Kansime, Monica K., Justice A. Tambo, Idah Mugambi, Mary Bundi, Augustine Kara, and Charles Owuor. "COVID-19 implications on household income and food security in Kenya and Uganda: Findings from a rapid assessment." *World development* 137 (2021): 105199.

With the daily increase of COVID-19 cases in Kenya, food deficits may reach similar 2008 and 2017 magnitudes. The closure of both interstate and intrastate borders, such as the Moyale-Ethiopia border, caused by heavy rain, for example, disrupted the supply of maize commodities, onions, and tomatoes into Kenya.⁶ Not only has importation been hampered, but so has the exportation of produce from Kenyan farms to other countries. Three-quarters of horticulture exports from Kenya to Europe consist of fruits, vegetables, herbs, and flowers. Exports in Murang'a have been affected immensely; the county is known to produce fruits like passion fruits, mangos, pineapples, herbs like rosemary and mint, and even vegetables like French beans for export. In 2017 and 2018, fruits and vegetables earned 12.83 billion KES and 27.68 billion KES, respectively; however, in 2020, this product's shipment ceased in March after the European countries went under lockdown.⁷

Movement restrictions and quarantine measures resulted in less access to and affordability of food, sending prices higher at the same time that the population found themselves less able to engage in economic activities. Households were forced to use negative coping mechanisms, such as reducing food consumption, borrowing money, or going into debt to pay for food. The risk of heightened food insecurity and malnutrition during public health emergencies is particularly grave for the poor, who could face additional health complications quickly, including increased susceptibility to COVID-19 infection.

Impact on the Labour Force

The pandemic resulted in massive job losses, with employment dropping from 71% of the population in Q4 2019 to 50% in May–June 2020.⁷ Employment, on the other hand, increased to 76% in April–June 2021, while unemployment fell by more than half, from 16% in October–November 2020 to 7% in April–June 2021.⁸ Both casual workers in the informal sector and daily wage earners in the official sector have lost their employment as a result of the government's efforts to fight the COVID-19 spread. Many roles have become obsolete as a result of curfews and movement restrictions, resulting in job losses or unpaid

⁶ World Bank (2020). Kenya economic update: Turbulent times for growth in Kenya, policy options during the COVID-19 Pandemic. [Accessed 9 June 2020]. <https://documents.worldbank.org/curated/en/683141588084127834/Kenya-Economic-Update-Turbulent-Times-for-Growth-in-Kenya-Policy-Options-during-the-COVID-19-Pandemic>.

⁷ Roussi, Antoaneta. "Kenya farmers face uncertain future as COVID-19 cuts exports to EU." *Financial Times* 14 (2020).

⁸ Munyao, B., and A. Wanjiru. "Movement of people in and out of Murang'a County restricted. Kenya News, 24 March." (2020).

leave. Workers who were already poor and unable to save for the future found it far more difficult to re-enter the labor force after the pandemic.

The virus disrupted income flows and lowered supply and demand for goods and services, requiring businesses to devise a variety of coping strategies. Employers were required to reduce staff numbers, provide unpaid time off, or make temporary layoffs.⁹

Curfews, movement restrictions, restricted use of public transit, and employee responsibilities to stay at home or work from home all contributed to the virus stifling productivity. The average number of hours of employment available each week has declined drastically in almost every sector of the economy. This was especially damaging to the hotel business, resulting in fewer revenues and employment losses.

Impact on social and health matters.

Since over 78% of the population in Nairobi County lives in rural areas and 52% lives in poverty, access to health care for complex cases such as COVID-19 is limited. People have to travel long distances to reach local or regional health care facilities. Most of the community and primary care centers in Kenya lack medication and do not have access to some of the vital equipment used to treat respiratory conditions, such as the respirators that are necessary to treat COVID-19. In addition, the cost of testing for COVID-19 provided by the national hospitals was prohibitive for low-income people. The cost of each test at Nairobi Hospital was approximately SH10,000 per test (about \$93.00). Only 20% of the population had health insurance, meaning 13.5 million Kenyans were without adequate health care coverage.¹⁰

On March 25, 2020, following the 1st Presidential speech, the government began employing containment measures which were deployed on an incremental basis as the 1st virus intensified. Initially, the 1MoH began a nationwide campaign promoting basic hygiene, which included hand washing, ensuring social distancing at all times, and using hand sanitizers. As the virus continued to spread, measures became stricter and public gatherings, including weddings and religious services, were suspended, bars and restaurants were regulated, wearing of masks was introduced, learning institutions were closed, and employees (except essential caregivers) were encouraged to work from home.

⁹ KNBS. *Quarterly Labour Force Survey, October to December 2019*. February 2020. Available at <https://www.knbs.or.ke/?wpdmpo=quarterly-labour-force-report-forth-quarter-2019>

¹⁰ Wadekar, Neha. "Kenya's 13D printing community is making Covid-19 equipment to fill a deficit as case loads rise." *Quartz Africa*, Quartz 16 (2020).

Due to the increase of the virus in prison facilities, the government suspended prison visits and the number of passengers allowed on public transport was reduced by half. Masks were required to be worn at all times outside the house and in both public and private vehicles. Business 1 operators were required to maintain basic hygiene and ensure social distancing on business premises. They were required to provide hand-washing facilities at their premises, and regular disinfection was conducted in high-risk areas such as Nairobi and Mombasa.

As the number of COVID-19 cases increased, dusk-to-dawn curfews were imposed, reducing movement at night except for caregivers. As the intra-county movement increased, the government mitigated this by imposing lockdowns in the affected counties and discouraging movement within those counties and the rest of the country that had rapid increases in positive cases.

When the government realized that people traveling into the country from overseas were not adhering to self-quarantine measures, a mandatory self-quarantine was imposed at designated government facilities at a cost to the individual.

Socially, the virus brought back the dreaded stigma that was once associated with deadly AIDS diseases. There is an aura of disdain and stigma that wafts around victims of COVID-19, which affects their mental well-being and changes their lives forever.

Impact on education

Kenya, like the majority of other countries affected by COVID-19, temporarily closed schools and educational institutions to prevent the virus's spread. School closures hamper learning and create inequality, affecting children from low-income households disproportionately. As a result of the pandemic, there was an increase in dropouts, child labor, abuse of minors, and teen pregnancies. The1 scenario will have long-term ramifications, notably for girls' educational, economic, and health outcomes.¹¹

Access to digital technologies for distance learning is severely unequal in Kenya, providing children in urban areas with an unfair advantage. In many countries, the digital divide limits access to e-learning for children in remote areas and those living in poverty. The cost of accessing the internet for families is often more than a day's wage. Many low-income people, especially those living in rural areas, have limited access not only to the internet but also to hardware such as mobile devices, laptops, or computers. Parents may also not

¹¹ Gathura, Greg. "Kenyan1s should brace1 for a long1 lockdown ahead." 2020. Available1 at <https://www.standardmedia.co.ke/article/2001364648/kenyans-should-brace-for-a-long-lockdown-ahead>

have training in the use of devices or the internet for instruction. Although the literacy rate in Kenya is at 78.7%, parents do not have sufficient education to assist their children at home.¹²

Although many families in Kenya have mobile phones, most do not have smartphones with Internet access. A Pew Research Center report conducted in the spring of 2019 provided data on the digital divide in the use of smartphones in 34 countries. Only 36% of Kenyans reported owning a smartphone, 40% reported owning only a mobile phone, and 24% reported owning neither a smartphone nor a mobile phone. Whereas in most of the countries reported, there was more use of the internet by young people aged 18–29 years, in Kenya, there was little use of smartphones by young people.¹³

In addition, electricity and the Internet are often sporadic, limiting the consistent use of the resources for learning. Travel to an Internet café for the Internet or to charge mobile phones during the COVID-19 crisis was limited due to the closing of many necessary businesses and restrictions on travel.¹⁴

Impact on the economy

The immediate health problem morphed into a social-economic problem through a slump in production; disruption of supply chains (both global and local); shortage of goods; and mass unemployment, leading to a loss of income and thereby causing a vast increase in the number of dependents.

The loss of government revenues and pressure to cushion citizens from the harsh reality of massive income losses impose a huge strain on the exchequer. The tax relief measures announced by the government resulted in a considerable direct loss of government revenue, leading to a budget deficit. In effect, as the health sector soaked up more resources and as people reduced social activities, the government had to freeze funds for some development projects. Real GDP (gross domestic product) is expected to fall from 5.7 percent on average in 2015–2019 to 1.5 percent in 2020.¹⁵ KIPRA and partners estimate the April–June lockdown in Kenya to have an impact of 5.6 percent on GDP in 2020 relative to the pre-COVID baseline, leading to close to zero economic growth for the year, in annualized terms.

¹² MacroTrends. (2020). Kenya literacy rate12000–2020. <https://www.macrotrends.net/countries/KEN/kenya/literacy-rate>

¹³ Schumacher, S., and N. Kent. "Eight charts1on internet use1around the1world as1countries1grapple1with COVID-19." *Pew Research Center*. Retrieved April 19 (2020): 2020.

¹⁴ Pape, Utz Johann, Antonia Delius, Ritika Khandelwal, and Rhea Gupta. "Socioeconomic Impacts1of COVID-19 in Kenya." (2021).

¹⁵ https://publications.jrc.ec.europa.eu/repository/bitstream/JRC121284/jrc_technical_report_-_covid-19_kenya_final.pdf

The Effect on the Governance and Security System

Intending to fight the spread of COVID-19 in the courts, the Chief Justice suspended the hearings and mentioned civil cases. This action harms the justice system and could increase and worsen case backlogs.

To curb the spread of the virus, Kenya imposed sweeping restrictions on movement to curb the spread of the virus, with the curfew being the most stringent limitation, which led to a wave of police violence while trying to enforce the guidelines. Several cases of police brutality were reported on diverse dates, from the 1st date that the 1st curfew was announced, leading to deaths and injuries.

On the political front, the Independent Electoral and Boundaries Commission (IEBC) had to postpone some elections in four wards (Dabaso in Kilifi County; Kisumu North in Kisumu County; Kahawa Wendani in Kiambu County; and Taita Taveta County's Wundanyi/Mbale) and one constituency (Msambweni) because the election was going to expose the public to the risk of contracting COVID-19.

The high level of unemployment and or job losses caused by the COVID-19 pandemic, especially among the youth, will harm the security of the country as it will exacerbate youth unemployment who could easily end up in a criminal activity or be recruited by militant groups, which in effect could aggravate terrorist attacks, violent extremism and youth radicalization.

According to the Kenya Police Crime Statistics Report 2020, the number of SGBV cases recorded in Kenya between January and June 2020 increased by 92% pro-rata compared to January to December 2019. Common forms of SGBV were: assault, physical assault, rape or attempted rape, murder, sexual offenses, defilement, grievous harm, physical abuse, child marriage, psychological torture, and child neglect.¹⁶ The incidence of SGBV in places like Korogocho had also risen sharply during the COVID-19 pandemic, which said it had been occasional, rather than common, before. Because of the pandemic, adults who would normally have been working during the day and children who would have been at school were more likely to be at home due to containment measures and the economic shutdown.

Moreover, in Mombasa, Nairobi, and Nakuru urban areas, the general public and motorists were harassed and brutally assaulted by the police in the process

¹⁶ National Crime Research Centre, Protecting the family in the time of COVID-19 pandemic: Addressing the escalating cases of gender-based violence, girl child disempowerment and violation of children rights in Kenya, 2020, p.61, <http://www.crimeresearch.go.ke/wp-content/uploads/2020/12/Report-on-Protecting-the-Family-in-the-Time-of-Covid-19-Pandemic-6th-August-2020.pdf>

of enforcing the dusk-to-dawn curfew.¹⁷ During 2020, the Missing Voices and Social Justice Centres Working Group, a network of CBOs and NGOs that track extra-judicial killings, recorded 137 people killed by police or reported missing, the vast majority of whom were in Nairobi.¹⁸

Conclusion

The pandemic continues to wreak havoc across Africa, and Kenya, like most other African countries, is failing to cope with the virus due to a lack of resources, a lack of a defined plan, and a weak health system. The government's trying to deal with the health crisis while also striving to reopen the economy has been a difficult balancing act for the government. To accomplish a rapid socioeconomic recovery, the government should establish projects and resources that do not unfairly punish individuals living in poverty. The pandemic has demonstrated how neglecting key areas makes individuals more vulnerable in a country with a sizable population living in or near poverty. As a result, more resources should be directed to such areas as people's health, housing, sanitation and hygiene, and social protection. The budget plans must also be inspected more closely, and the implementation and performance of these should be monitored and assessed, all of which should help the poor.

¹⁷ Mutahi, Patrick, and Kate1Jane1Wanjiru. "Police1Brutality and Solidarity during1the1COVID-19 Pandemic in Mathare." *Mambo!* (2020): <https://mambo.org/kenya>.

¹⁸ Missing1Voices12021, <https://missingvoices.or.ke/statistics/>

EFFECT OF BUREAUCRACY ON PERFORMANCE OF COMMERCIAL STATE-OWNED ENTERPRISES – A CASE STUDY OF KENYA ORDNANCE FACTORIES CORPORATION BAKERY IN ELDORET

Col Omari M Rajab 'psc' (K) – Kenya Army

Abstract

State-Owned Enterprises (SOEs) are normally established by governments to provide goods and services that are either of strategic importance, public good, or those that cannot be provided by private enterprises. Abraham Lincoln stated: “The legitimate object of government is to do for a community of people whatever they need to have done, but cannot do at all, or cannot so well do, for themselves.”¹ Kenya Ordnance Factories Corporation (KOFC) was established to manufacture ammunition, clothing materials, communication equipment, and precision engineering requirements for the security sector in Kenya. However, since Kenya's intervention in Somalia as part of the African Union Mission in Somalia (AMISOM), it has become apparent that the Kenya Defence Forces (KDF) must be self-sufficient in the provision of rations for the troops both in peacetime and in operation. It was on this basis, therefore, that KOFC established bakeries in Eldoret, Nairobi, and Gilgil to meet these requirements. This study, therefore, examined specifically the Eldoret bakery to analyze the effects of government bureaucracy on its performance.

Introduction

A State-Owned Enterprise (SOE) is a legal entity that is established by the government to undertake commercial activities on behalf of the government.² The SOE is either wholly or partially owned (25% of the equity capital) by the government and is usually earmarked to participate in specific commercial ventures. The world over, governments establish SOEs to provide goods and services from the target sector where the private sector may be experiencing difficulties in setting up or with the sole aim of generating income for the government. Freddie Mac and Fannie Mae are examples of mortgage firms owned and operated by the United States government to provide housing for

¹ Lincoln, A., & Basler, R. P. (2001). Abraham Lincoln: His speeches and writings: Da Capo Press.

² State Corporations Act Chapter 446 Revised Edition 2015 [2012] Published by the National Council for Law Reporting with the Authority of the Attorney-General www.kenyalaw.org accessed on 18 August 2021.

citizens. Shanghai Jin Jiang Hotel is owned and operated by Shanghai State in China. In Africa, power utility firm Eskom was established by the South African government and is arguably the eleventh-largest firm in the world.

In Kenya, several SOEs exist, which include Kenya Cotton Mills (KICOMI), which was established to manufacture cloth; Kenya Power, which distributes electricity; Kenya Ordnance Factories Corporation (KOFB), which manufactures ammunition and other general engineering activities for Kenya Defence Forces (KDF) and other security forces in Kenya. These SOEs generate income for the government as well as meet their budgets. In Kenya, SOEs are established by the State Corporations Act (revised 2012) and are commonly referred to as state corporations. The management of SOE is through a Board of Directors (BoDs) or a National Council as specified in the order establishing the SOE. The members of the Board are appointed by the Cabinet Secretary (CS) in charge of the line ministry. The BoDs appoint the Chief Executive Officer (CEO) who runs the operations of the company day-to-day.

KOFB was initially established to provide bakery products to the KDF as part of their ration, and the surplus was to be sold to KDF families living in the barracks through the Defence Forces Canteen Organization (DEFCO) shops found in all military barracks. However, due to the increase in production of bakery products and the need to generate more income for KOFB to meet its operating overheads, KOFB stood out as an alternative source of revenue to bridge the KOFB budget deficit.

As a commercial enterprise, KOFB has to operate as a public entity and within the regulations of the Public Procurement and Assets Disposal Act (2012).³ The procurement of raw materials and management of resources has to be structured and subject to audit by the National Audit Office. On the other hand, private bakeries have an upper hand since they are self-controlling and not limited to stringent laws that affect their decision-making processes. KOFB Bakery also faces challenges of risk and risk management that affect its operation, but mitigating measures are delayed due to the bureaucracy of public commercial entities. This paper, therefore, addresses the challenges faced by KOFB while operating as a public commercial entity in competition with private bakeries that are self-regulating. The paper will further provide recommendations on how to address the challenges to enable public commercial entities to operate and sustain profitability in their respective sectors.

³ Public Procurement and Asset Disposal Act No. 33 of 2015 Revised Edition 2016 [2015] Published by the National Council for Law Reporting with the Authority of the Attorney-General www.kenyalaw.org accessed on 18 August 2021.

Statement of the Problem

KOFCB is not a strategic enterprise, but due to the operational exigency in peacetime locations and war in Somalia, there was an urgent need to establish the bakery to feed troops. The excess products are to be sold to the civilian market to generate income for KOFCB to bridge the budget gap. The sales to the civilian market, however, have been met with challenges in the bureaucratic red tape of government procedures, hampering their operations. These bureaucracies have had major effects on the ability of the management of KOFCB to compete with civilian-owned bakeries. These bottlenecks are more pronounced whenever the markets are volatile, which requires urgent action, which is only taken after consulting and getting approval from the BoDs. It is therefore crucial that this study examine the effects of bureaucracy on the performance of SOEs, with specific emphasis on KOFCB in Eldoret.

Theoretical Framework

Agency theory is the key theory that explains the bureaucratic relationship between the principal (government) and agent (manager). The main proponent of this theory was Adam Smith, who postulated the relationship between the performance of companies and the remuneration of CEOs.⁴ SOEs have played an important and growing role in the domestic and global economy but face the principal-agent problem as a result of conflict between managers and government bureaucracy in running a profitable business.

This theory shows that the bureaucracy in government processes has a direct effect on the performance of SOEs, especially if they involve themselves in products that can well be provided by civilian enterprises. The theory addresses this study since KOFCB is not a strategic enterprise and, due to government bureaucracy, is facing a lot of problems that make the enterprise uneconomical.

Procurement Procedures, Rules, and Regulations

Procurement can be defined as the acquisition of goods and services at the best total cost, in the right quality and quantity, in the right place, and at the right time for the direct benefit of organizations, individuals, or even governments. According to Arminas (2002), lengthy procedures have frequently undermined efficiency in the public procurement system.⁵ According to the Public

⁴Zogning, Félix. "Agency theory: A critical review." *European journal of business and management* 9, no. 2 (2017): 1-8.

⁵Arminas, D. (2002) Hidden dangers in global advance, *Supply management*, 7(10) 14-15.

Procurement and Disposal Act 2005, procurement is defined as the acquisition by purchase, lease, rental, hire purchase, tenancy, franchise, or by any other predetermined means of any type of work possession, service, good, including livestock, or combination thereof.⁶ Direct procurement is occasionally one of the areas in government most susceptible to corruption due to its large size, complexity, and amount of money, which provide both motivations and opportunities for unethical behaviors.⁷ With this perspective, procurement reform was essentially meant to address corruption risks, reduce opportunities for government officials to seek or accept bribes, and reinforce internal and external controls along the various stages of procurement processes to ensure implementation. According to Nwabuzor (2005), Public procurement guidelines are constantly changing to not only adapt to socioeconomic circumstances, but also to increase transparency, fairness, interoperability, and modernization in contract awarding.⁸ Yet, as reforms usually affect the interests of well-connected and planned groups in society, changes to the processes are likely to face major hurdles, such as opposition to reforms among the ruling elites and business class.

According to studies carried out by Ngwili & Were (2014) on factors affecting the efficiency of procurement functions at public entities in Kenya, it was established that public procurement procedures largely depend on the level of competition in public contract awards.⁹ This means that the more the public participates, the better the benefit for government institutions. In such a situation, awarding tenders with preconditions that limit the number of potential bidders or even awarding a contract on a selective basis without following the normal competitive process seriously endangers the intended objectives.¹⁰ The study also found out that procurement procedures, like any fiscal activity, record both positive and negative influences during their course, eventually leading to achieving the predictable and less required outcome. These influences may be external, such as political, social, economic, and

⁶ Public Procurement And Asset Disposal Act No. 33 of 2015 Revised Edition 2016 [2015] Published by the National Council for Law Reporting with the Authority of the Attorney-General www.kenyalaw.org accessed on 18 August 2021.

⁷ Tandoor, K.R., and Koehn, E.E (2004), Construction and corruption in developing regions, AACE International Transactions, 68-71.

⁸ Nwabuzor, A.: 2004, Dealing with corruption in Developing Economies: A Nigerian Test Case International Conference on Voluntary Codes of Conduct For Multinational Corporations: Promises and Challenges, Baruch College, City University of New York, May 12-15

⁹ Ngwili, K. J. and Were, S. (2014), factors affecting the efficiency of the procurement function at the public institutions in Kenya, 2(2): 1-14.

¹⁰ Lysons, K. and Farrington, B. (2012) Purchasing and Supply Chain Management. Pearson Education Limited, England.

demographic, among others, but also internal, such as the institution's budget, the management strategy, and bureaucratic command chain. Once the process is completed, the remaining tenders are then revised on their procedural merit and scored accordingly, whereby there is usually one or two suppliers that would have a lead.

The study conducted by Falkner and Hiebl in 2015 identified risks faced by SMEs as interest rates on loans, supply chain, prices for raw materials, technology and e-business, slow growth in business, and large numbers of employees.¹¹ According to Matias (2012), interest rate risk is a deviation from the interest rate of the loan.¹² Raw material price risks are volatility in the cost of raw materials.

SOEs are required to offer a variety of products to meet their clients' needs, thus creating a superior reliance on their supply chains. The opposite of a supply chain is absorption, or dependence on a single supplier (Ellegaard, 2008).¹³ The overall acquisition is not divided between numerous suppliers, whose purpose is to get a better negotiating position or price gain.

The challenges faced by public entities on procurement, especially at KOFC bakery, are discussed below.

Increase the cost of doing business. The challenges under this category are the implementation of Goods and Service Tax (GST) and an increase in petrol prices and toll charges. The consequence of GST is an unexpected increase in the price of commodities or raw materials such as flour, sugar, and oil. The business should increase the prices of its commodities to cover the cost of raw materials. However, increasing the prices reduces sales. There are many bakery shops selling bread, buns, and cakes around the town. Consumers have many choices. Apart from selling bread, buns, and cakes at the premise, they also do delivery services for the customers.

Equipment or machine failure. Failure of mixer equipment or machines is a major issue for the business. Bread is the main product of the business. Without the machine, workers have to mix the flour physically. To some degree, the business has to produce a lower quantity of bread than normal. Workers have to work longer hours to knead the flour physically. The business has to pay additional earnings to compensate for the extra working hours.

¹¹ Falkner, E. M., & Hiebl, M. R. W. (2015). Risk Management in SMEs: A Systematic Review of Available Evidence. *The Journal of Risk Finance*, 16, 122-144.

¹² Matias Gama, A.P., Susana Amaral Gerales, H. (2012). Credit risk assessment and the impact of the Basel capital accord on small and medium sized enterprises: An empirical analysis. *Management research review*, 35(8), 727-749.

¹³ Ellegaard, C. (2008). Supply risk management in a small company perspective. *Supply chain management. An International Journal*. 13(6), 425-434.

Competitors' Imitating Products. The business faced the problem of competitors' imitating their products. According to the owners, the problem arises because they did not patent their product. The consequence of this is that the business loses its customers to competitors and sales decrease. As stated, the business is not like big companies such as Festive and Supa Loaf bread. The companies have copyrighted their products. Therefore, prevent competitors from imitating the products.

Risks, risk impacts, and risk management techniques

KOFC Bakery faces several risks that are directly or indirectly associated with the type of business, some internal and others are exogenous. Some of these risks are discussed below. Financial risk is defined as actions or conditions affecting the flow of money in and out of a business. This study identified an unexpected increase in the prices of basic commodities and raw materials as the major threat under financial risk. To manage the risks, the business transfers the risk to clients by increasing the price of the products, which in turn leads to a decrease in sales.

Another major financial risk is the fluctuation in the prices of inputs such as petrol and toll charges. This study found out that apart from selling the products at the production premises, the business also provides a delivery service to the customers. The direct impact of an increase in petrol, therefore, affects the cost of transportation. Currently, the business does not have risk management techniques to mitigate the fluctuation of petrol prices.

Strategic risk is defined as internal or external actions that may make it difficult, if not impossible, for a business to achieve its objectives and strategic goals. The risks involved in this particular business are as follows:

The main income of the business comes from the sales of bread, buns, and cakes. The major customer complaints are about hygiene and bread texture. The direct impact is a bad image and reputation. The indirect impact is a loss of customers and a decrease in sales, which may lead to customers blacklisting the bakery. To manage the risk, the business must ensure that employees cover their hair, wear personal protective clothes in the production area, and ensure the machines, equipment, and bakery are always clean.

The second risk is business planning and growth. The business faces competition from other bakeries which are mushrooming in areas where the bakery has penetrated. The direct impact is the loss of customers. The indirect impact is decreased sales. To manage the risk and to keep up with competitors, the bakery needs to diversify by producing and selling a variety of quality loaves of bread, muffins, buns, and cakes.

Conclusion

This study was about the effects of corporate governance and its relationship to performance in SOEs in the Kenyan economy. Kenya Ordnance Factories Corporation Bakery, as a State-Owned Enterprise, is subject to the Public Procurement and Asset Disposal Act and other regulations and is facing stiff competition from privately owned entities that do not face similar rules. This has put a lot of strain on the running of the business as a profit-making entity. The findings revealed that there was a relationship between the commercialization of SOEs, the management of SOEs, and their performance in the Kenyan economy. The findings of the study indicate that there is a considerable effect of bureaucracy on the performance of commercialized state-owned enterprises, as is the case of KOFC. This requires innovations on the part of management if the business is to remain afloat.

COVID-19: A BOOSTING FOR INTERNATIONAL ORDER TRANSFORMATION

Col Usman Ali – Pakistan Army

Abstract

This article will investigate China as a rising force during and after the immense effects of the COVID-19 pandemic and weather. They will bring reform to the world order. The article will discuss the commitment of the key world powers, such as the US, China, the EU, and Russia. How do these players survive through the tough times and what is their attitude toward the rest of the world?

During the pandemic, China introduced itself as a rising power. Where the US and other world powers failed to satisfy the world, China stepped up its game and expressed itself as a worldwide hero and has been endeavoring to expand its overall impact by utilizing trade and financial ventures as its wallet tact. The COVID-19 pandemic has started to cause a shift in the globalized structure of the key world powers.

Introduction

The new COVID-19 hike is anticipated to speed up the transformation of the political framework globally. As the global system slows to a near-standstill, the COVID has a significant impact on everyone on the planet in some way. Despite the fear of COVID-19, some analysts believe that COVID-19 has also given splendid opportunities for a rising performer like China, which is already resisting the US worldwide authority.¹ The world in the 21st century could be inundated due to the strained connection between the superpower and China. Beijing may be exploring an opportunity to pose itself as a “savior of the world” in the post-COVID-19 world by extending a helping hand to the most seriously beset nations throughout the world, especially the individuals who are as of now skeptical of the ebb and flow worldwide framework. China may seize the opportunity to establish fundamental footings in a variety of locations. Since its ability and obligation regarding undertaking an especially goliath assignment would discover the winged snake as a predominant overall power in the future world. By drawing a similitude, world after COVID 19, China will undoubtedly take the risk to set out a decent establishment for itself as a definitive overall strength, ready to help impacted nations, particularly

¹ De Santibañes, Francisco. "An end to US Hegemony? The strategic implications of China's growing presence in Latin America." *Comparative Strategy* 28.

their economies, which have generally looked to the US during such an unanticipated event.

Elements for Revaluating the World Order

In the Asia-Pacific district², China is arising as an incredible force and is quickly amplifying its financial, military, and political influence all over the world, which is posing, without a doubt, an astounding challenge for the US worldwide authority.

This study intends to investigate the boosting elements of international order and the appalling effects of COVID-19 on its change. Additionally, the study will focus on issues like: does China have the essential prospects and obligation to attempt the uphill struggle of reforming the international world order? Also, what might be the involvement and commitment of key worldwide participants, especially the US, China, and the European Union (EU), in the international order?

The US-China ties are based on an extremely intricate complexity as both countries are key entertainers in the Asia-Pacific region. Nonetheless, China and the US are challengers in financial and vital perspectives. Both are the globe's greatest allies too, as far as exchange. Likewise, China's thrust of extending its force all over the world through trillions of dollars worth of venture and financial help confirms its perplexing nature. Finally, COVID-19 additionally delivers a bigger undertone to this hypothesis: no single player in the worldwide framework can defeat a particularly pulverizing pandemic alone. Although ability is an essential perspective in every world framework, the interrelationship is unavoidable in this pivotal globalized world. Henceforward, conflicts and collaboration would exist all the while changing the worldwide request.

This research will identify some critical variables that ensure the incredible power status of vital participants and their singular job in helping the global request. The examination of the military, monetary, economic, and political changes of fundamental members like the US, China, the EU, and Russia, would help in assessing the overall situation. The ascent of COVID-19 has opened up new fields of commitment between the US and China, and their overall lead to the remainder of the globe.³

² Godwin, Paul HB. "China as Regional Hegemon?" The Asia-Pacific: A Region in Transition, Honolulu: Asia-Pacific Center for Security Studies.

³ Nye, Joseph. "Has economic power replaced military might?"

Global Order and Worldwide Economic Players

A review of the literature and history shows that the US, after getting economic gain, usually opts for gaining military clout. Before acquiring military dominance, the US already had the largest economy in the world. Additionally, for its enormous share in world trade and boost in the economy, China keeps the world's biggest forex reserves, i.e., US \$3.11072 trillion. China would at last attempt to set up its worldwide predominance by repositioning the balance of power towards itself and redesigning it into a multipolar advancement.

One of the key indicators to calculate the economy's worth and the financial or other financial value of the goods and services made in the country is GDP, i.e., Gross Domestic Product. There is a rapid rise in the GDPs of various emerging countries because of the transformation in the global economic order, which started to happen in the last decade. China is emerging as the third-largest giant economically, after the US and the EU. The ranking of GDPs in the world keeps changing among the US, Japan, and China.

When all of the EU's economies come together, it becomes one of the world's largest and most powerful competitors. The World's Top Exports, an effective organization in checking trade, shows that, in 2018, the EU solidified products were roughly US \$6.5 trillion⁴, which is an identical 37% offer globally. An intensive examination of the realities establishes that China, the US, and the EU are the G-3 economies. In the advanced Sino-US battle on an exchange, the EU may not help the American pail.

Transforming the World Order: Global Military Powers

Military dominance is the backbone of a country's national force because stronger powers unquestionably enjoy more security and strength in their nations when contrasted with more fragile ones, which are generally helpless before strong neighbors and contending rivals. An extending military may proceed as a definitive goal of moving into the situation with the extraordinary force since weaker countries mostly face ruination.

As per the reports of Global Fire Power (GFP), a well-known office on safeguard insights, out of 138 nations, the United States' power is the most grounded on the planet. GFP states that the US addresses 2.26 million military, approximately 10 million km² district, 12,000 km long limits, and 20,000 km shore due to its outstanding topography between the Atlantic and Pacific.

For most of the last two centuries, Russia has been considered one of the biggest and most definitive military powers. The largest nation owns

⁴ WTO (World Trade Organization). World trade statistical review.

approximately 17 million km² of land, 22,000 km of long borders, and up to 38,000 km of coastline.⁵ Russia keeps up with a 3.5 million equipped workforce alongside the world's stock of nuclear weapons. Russia's formally pronounced military expenses in 2018 were the US \$61.4 billion (sixth-most in the globe).⁶

Additionally, China is a rapidly rising military power in the Asia-Pacific region. It has a population of 1,385 million people and 2.7 million military personnel (the world's largest), a 9.6 million km² area, 22,457 km of shoreline, 14,500 km of coastline, and approximately 500 air terminals. At the start of the twenty-first century, China aimed to reinforce and modernize the PLA by increasing its spending plan by nearly 10% per year.⁷

Level Two of the Military Contenders

Britain and countries of the EU, Germany, and France, have the globe's most contemporary militaries. Numerically, these aforementioned countries' military might lag behind the United States, China, and Russia's, yet abstractly, they have especially good highly-dangerous weapons. They have the know-how to involve a basic military power when working together. Regardless, these EU prevailing players are central pieces of United States-driven NATO, and their retraction to foster military associations like the EU Parliament would face the association's inconvenience.

Hegemons (P-5) are global players.

The world's political powers are the most convincing global players, with massive economies and repealing militarism, ready to practice general political strength. The key measure held by unusual powerhouses in global official issues is the Veto Power in the United Nations Security Council (UNSC), which is dominated by the United States, China, Russia, the United Kingdom, and France. Without a doubt, among political participants, the United States has grasped a definite position for being able to use its power around the world and is determined to maintain global order by playing a dominant role. Other significant stakeholders have played a role in the smooth operation of the global structure, but have been more focused on their benefits; as of recently, none of them could effectively revoke the US uniqueness in overall administrative issues. Nonetheless, China has been endeavoring to expand its overall impact by utilizing trade and financial ventures as announced for her wallet tact. It is by and large accepted that, regardless of its huge overall harm,

⁵ Retrieved <https://www.globalfirepower.com/>.

⁶ Retrieved <https://www.globalfirepower.com/>

⁷ Retrieved <https://www.globalfirepower.com/>

COVID-19 might proclaim another time of opportunity for the swift rising power of China.

COVID-19 Pandemic: A Global Challenge

Since its inception, the COVID has been blocking the overall structure of the world. By the end of 2020, the total number of infected people was estimated to be around 76 million, with 1.7 million dying.⁸ US Congressional Research Service 2020-report shows that COVID has changed the general economy, assessed at around the US \$90 trillion, and other monetary pointers have tumbled down to the most decreased level since the Great Depression of the 1930s.

By the final month of 2020, the US has emerged as the world's most exceedingly terrible impacted area from COVID, with almost 18 million impacted people and 0.32 million passing.⁹ From March to July 2020, approximately 55 million Americans petitioned for jobless protection, as the US Bureau of Labor reported that out of 158 million public nonmilitary personnel, approximately 20 million lost their jobs, rising unemployment figures to 23 million (15 percent joblessness). In the initial few months of 2020, the US GDP fell by 5%, the biggest periodic fall since the 2008 financial emergency.¹⁰ Europe is one of the countries most terribly affected by the coronavirus in the world. The EU experienced a 4.0 percent decrease in a financial slump and a 17 percent decrease in business activity in the crucial few months of 2020. According to a European Commission report, the EU's progress could slow by up to 7.4 percent. The European Bank has warned that the euro area's economy may shrink by 8 to 12 percent ahead of the year.

China has also experienced COVID, with a 10% drop in the economy in the first few months of 2020, as well as a 13% drop in products and a 3% drop in imports.¹¹ China's improvement was reviewed negatively in the primary quarter of 2020 and fell under 5.0 percent, with genuine repercussions expected assuming it proceeds. However, Beijing is considered substantially better than its neighbors.

Throughout COVID-19, the US and China continued to level charges against each other. Washington attested to Beijing for beginning the pandemic

⁸ Global Economic Effects of Covid-19, Congressional Research Service Reports on Foreign Policy and Regional Affairs (2020)

⁹ Global Economic Effects of COVID-19. Congressional Research Service. Retrieved <https://fas.org/sgp/>.

¹⁰ Coronavirus Cases. World meter. <https://www.worldometers.info/coronavirus/>

¹¹ Global Economic Effects of COVID-19. Congressional Research Service. Retrieved <https://fas.org/sgp/>.

and affirmed by utilizing the articulation “Wuhan infection” and closed by charging the World Health Organization (WHO) for disappointment and being predisposed to China, who faulted the US powers for conveying the infection to Wuhan city. Notwithstanding, amid this general test, considerably more participation is required around the world, especially in one of the two key entertainers, the US and China. The Chinese economy has been truly wounded by the pandemic in the last few months of 2020; business markets persevered through a weighty misfortune and requests from customers declined.

Given the cuts in demand for Chinese things and deterrents in supply chains, the Chinese economy has seriously been impacted as it depends on trade vigorously. In general, the economic downturn may prompt new rushes of manufacturing designs with the assistance of protectionist capacities in the overall exchange. States may convey mechanical creation back to lessen the risk of parts that will in time get into the overall stock chains. As the world’s greatest exporter and a fundamental association in the overall vehicle framework, China can address outrageous disputes and, verifiably, its economy may perform amazingly lower than it was at first assigned. Regardless, it is generally acknowledged that, after a few incorrect assumptions about COVID-19, China has wonderfully recognized and possibly directed COVID at home. It appeared as the essential overall player, imparting its motivation for supporting other nations in fighting the virus, including WHO. There is a developing understanding that unlimited genuine financial and medical services might help China in extending its overall political impact.

China: A Global Deliverer in the Post-COVID-19 World

As Europe battles the infection at home, China wants to portray itself as an upcoming phenomenal power. The Serbian President, Aleksandar Vucic, viciously rebukes the COVID response of the EU, particularly past its limits. Such actions are a clear warning to the West that China has embarked on a generally delicate power mission to repair and monitor its overall situation by sending clinical assistance to the world’s most infected nations, particularly Italy and Iran.

China is developing an impression that a pandemic is an exceptional opportunity to improve its delicate power certifications with Europe and other nations. The West has not contributed resources to assist its ordinary accomplices, and the US would emphatically lose colossal ground in this battle. It is furthermore acknowledged that China wants to get itself situated as the guardian angel of the world and snatch all potential possibilities of pushing ahead while different players have an absence of concentration, especially the

US, which has been in the “America First” mode.

COVID-19: A Boost for the Transformation of International Order

The post-COVID-19 world change is an interesting discussion on present governmental issues. The pandemic has undeniably increased tensions between the United States and China, but its long-term consequences may also be complicated. It is envisioned that the pandemic has invigorated the change of world request to a further ambiguous future. In the post-Covid-19 world, neither China nor the US would come up as a “champ” that could definitely move the overall influence on the side of anyone and solely lead the worldwide system. The financial slump brought about by the pandemic may furthermore oblige the US economy to safeguard spending that may seriously impact its internal elements. In all likelihood, the perspective of exceptional power contention will be further perplexed, and no single player will be able to rehearse its will, resulting in conflict and interest coexisting amid the melting West and the rising Rest. Associations between the overall powers, whether neighborly or focused, will positively decide the future world order.

Conclusion

As a result, strengthen your patriotism. Frameworks would go to serious lengths to adjust to the crisis, and it would be hard for large numbers of them to disallow such tyrant controls subsequently. Notwithstanding, the pandemic can fill a huge need for the insistence that this isn't the end of interrelated world design.

Chinese monetary and military power has viably impelled a reaction in the US to isolate itself from China. Covid fundamentally influences overall financial design and it may accelerate the advancement from US-provoked to China-driven globalization. Consequently, the US has now lost conviction and sees overall international alliances (FTAs) as hurtful. The Chinese care very little about the contemporary globalized framework for their developing offer in general exchange and intelligent social certainty.

In changing the world's request, the US has just two options. If Washington's fundamental goal is to keep its overall incomparability and strength, it should invite Beijing to a lose-lose international test. In reality, if its goal is to improve the well-being of Americans whose financial situation has been effectively obscured, the US should broaden collaboration with China. Remembering the money-saving advantage investigation or Rationale Choice hypothesis, reason-

capacity participation is the main useful decision. Regardless, amidst serious political thoughts of US specialists about China, reason-capacity-bearing may not win, which may destroy the overall world framework.

The US is considered a fruitless player in the overall power challenge at the time of the pandemic. It would be hard for the US to rehearse its effect in the future as an overall chief as a result of its restricted strategy of individual situations and absence of ability in implementation. China has arisen as a rising star with more prominent usefulness and assurance and as a deliverer of the world. Indeed, even the superpower partners are looking towards China to play its role in changing the world's request in a moderate and more adjusted manner.

ECONOMIC COOPERATION BETWEEN CHINA AND SUDAN

Col Wilson K. Keter MBS 'PSC' (K) – Kenya Air Force

Abstract

The Chinese presence and increased activities in Africa since 2000 have been the subject of a lot of debates among scholars, media, economic analysts, and political arenas as to whether China is in Africa to assist African countries to grow or to exploit its numerous natural resources. This paper analyses the economic relations between China and Sudan intending to understand whether China's presence in Sudan is for the mutual benefit of the two countries or whether it is there to exploit Sudan's natural resources (oil). The paper looks at the motivating factors behind the relations between the two countries and what each country stands to gain in this partnership. The paper will endeavor to answer the question, "Is the China-Sudan economic partnership of mutual benefit to both countries?" Dependency theory will be used to analyze this partnership. China's relationship with Sudan dates back to the late 1950s when the country gained independence. Sudan was among the first African countries to establish diplomatic relations with the People's Republic of China (PRC) in 1959. Since then, the relationship between these two countries has continued to grow in all aspects. During the Darfur crisis, China stood firmly with Sudan despite condemnation by the rest of the world, especially the West. Sudan has benefited to some extent from China's foreign aid and foreign direct investment. The Chinese presence in Sudan has resulted in improvements in infrastructure, health care, agriculture, and construction. China, on its part, has benefited in terms of gaining access to oil imports from Sudan.

Introduction

China's interest in Africa is not new. It started way back in the 1950s after the People's Republic of China (PRC) was founded. Egypt was the first African country to establish diplomatic relations with the PRC in 1956. As the African countries were gaining independence from colonial rule in the 1950s and 1960s, China supported their liberation efforts and also gave aid to them to build stadiums, roads, and hospitals. This was not only meant to counter the US and Soviet influence in Africa but was also to establish diplomatic relations to counter Taiwan's recognition as a representative of China, thereby gaining scores in the removal of Taiwan from the United Nations (UN). This strategy

was instrumental in voting out the Republic of China (Taiwan) from the permanent seat in the UN Security Council in 1971.¹

China's relationship with Sudan's leadership is part of Beijing's larger policy concerning Africa, where it has recently emerged as a powerful player in the world.

Earlier Relationship

China's relationship with Sudan dates back to the late 1950s when the country gained independence.² China and Sudan's current relationship has been for a long period marked by the flavor of a special connection. Sudan established diplomatic ties with the People's Republic of China (PRC) on February 4th, 1959, and it was among the first African countries to do so.³ Since that time, their relationship has continued to develop, based on principles such as mutual respect for territorial integrity and sovereignty, mutual non-interference, and mutual benefits and equality. Sudan's diplomatic backing for China was apparent in 1971 when, together with other African countries, they supported the People's Republic of China and the One China policy in its accession to the UN. China reciprocated by continuing to show support to Sudan and this was apparent during the Darfour conflict, in which, despite its controversies, China stood by Sudan.

The belief in mutual non-interference has played a significant role in ensuring that the rapport with China survives the ever-changing regime of Sudan, which has been altering between a democratic parliamentary system and a military one. The China–Sudan trade relationship, which began in the 1960s, with bilateral trade agreements for cotton export to China in exchange for manufactured and capital products, has demonstrated a consistent upward trend. In the 1970s, the two countries signed an Economic and Technical Cooperation Agreement as well as a Cultural, Scientific, and Technical Protocol, which strengthened trade ties and increased Chinese aid in the form of no-interest loans for a variety of projects, including road and bridge construction, textiles, and agriculture. Chinese employees and their Sudanese colleagues collaborated on various development projects, including relief projects.⁴ After technical cooperation, a group of Chinese doctors was sent

¹ Princeton n Lynman, China,s Rising Role in Africa, Presented to the US-China Commission July 21, 2005, p 1

² Lee Feinstein, China and Sudan, TPM Muckraker, 24 April 2007

³ Ali, A A, The Sudanese–Chinese relations before and after oil (Khartoum, Sudan Currency Printing Press, 2006)

⁴ Ali, A A, The Sudanese–Chinese relations before and after oil (Khartoum, Sudan Currency Printing Press, 2006)

to work in hospitals built by China in diverse parts of the country. China's assistance is seen as supporting much-needed infrastructure projects and is appreciated for meeting the lack of medical services in rural and suburban areas.⁵

At present, China-Sudan relations are developing rapidly. In its pursuit of raw materials and energy, China has placed Africa in a special position. The continent of Africa has become increasingly important in the international arena over time, and the development of the China-Sudan partnership has been at the forefront. Since 1989, China has paid increasing attention to Sudan, investing millions of dollars in the oil sector, which has greatly benefited the latter.

Friendship through Oil Trade

The relationship between Sudan and China can be examined in two different periods; "before oil" and "after oil." These two periods are representations of how China related to Sudan economically before and after the 1990s: Generally speaking, China's economic interest and involvement in Sudan during the 1980s was insignificant. However, since the early 1990s, very different and consistent politics have been formulated, and the pace has been accelerated through oil cooperation.⁶

China benefited from the restored friendship between the Communist Party of China (CPC) and Sudan's National Congress Party (NCP), as well as oil investment and weaponry sales. Sudan began providing oil to China in the late 1990s. Even though China imports more oil from Angola and Saudi Arabia than it does from Sudan, Sudan is the sixth-largest oil supplier to China, accounting for 6% of Chinese oil imports as well as investment and arms sales in Sudan, according to 2007 figures. The Chinese state-owned corporation CNPC owns a majority stake in the Greater Nile Petroleum Operating Company and Petrodar, Sudan's two largest oil consortiums. Oil extraction is carried out by both consortiums in the country's south.⁷

Darfur Crisis

In Chinese-Sudanese relations, the Darfur crisis occupies a unique position. Sudan has received global help from China in the conflict. At the United Nations Security Council, China-backed Sudan's case. As a result, Khartoum

⁵ Ibid

⁶ Daniel Large, Sudan's Foreign Relations With Asia, (Pretoria, Institute for Security Studies, Feb 2008), P 2

⁷ Diplomatic Observer, China And Sudan: A New and Complicated Alliance, September 2009

had no choice but to embrace Chinese investment in Sudan. Beijing, which had been publicly reprimanded in the run-up to the Beijing Olympics for its human rights breaches as well as its backing of Sudan, did not alter its course. Beijing, on the other hand, kept its support but gained some advantages by mirroring the global troubles it was having with those facing Sudan. China's Sudan policy was built on "influence without interference" and relied heavily on personal persuasion and lengthy consultations. Despite Sudanese President Al Bashir's dislike, Beijing permitted the UN to station a peacekeeping force in Darfur. This result was obtained by Chinese officials denouncing the NCP and voicing specific Darfur solution recommendations through the media.⁸

This resulted in a rift in the relationship between Sudan and China. China disregarded the NCP's expectations and failed to provide significant help to Khartoum in the Darfur conflict. It did not exercise its Security Council veto. However, nothing was broken as a result of this "crack" in dual relationships.

Sudan-China Trade Relations

China has been Sudan's closest economic partner for over two decades. Sudan's most important trading partner is China, which buys two-thirds of Sudan's exports and supplies one-fifth of its global imports. Sudan's oil business is being developed by China, which is also a significant buyer of Sudanese oil. China has also created much of the country's infrastructure, and in recent years, Chinese corporations have played a growing role in agriculture, mining, medical, and education. In February 2007, China and Sudan agreed to build a train connecting Khartoum and the country's major port, Port Sudan, for \$1.15 billion. The China National Petroleum Company (CNPC) and the Sudanese government signed a production-sharing agreement in June 2007 to develop the country's newest offshore oil block. Sudan's high 11 percent economic growth rate in 2006 was aided by China's heavy trade and investment. In 2007, China and Sudan's economic ties grew much stronger. According to China's Xinhua Financial News, trade between the two countries more than doubled in the first half of the year. Total trade volume was \$2.4 billion from January to June, up 124% from the same period last year.

The existence of political and bilateral investment agreement structures that govern trade has been essential in the expansion of China-Sudan economic growth. Political ties have been bolstered through regular talks between government officials of the two countries, as well as a cooperation pact between the CPC and NCP. After oil shipments began in late 1999, China's

⁸ Diplomatic Observer, China And Sudan: A New and Complicated Alliance, September 2009

overall bilateral trade with Sudan surged dramatically, and it has continued to rise steadily since then. Between 2004 and 2005, Sudan was China's third trading partner, after South Africa and Angola. Just like with other African trade partners, there exists a trade imbalance between China and Sudan, especially in terms of raw materials from Sudan and the import of goods from China. While China is a significant international economic partner for Sudan, Sudan's stake in China's overall external trade has continued to be small, about 0.25 percent.⁹

The favored and comparably high level of government backing for Chinese commercial activity in the nation defines the context of current economic relations. Sudan benefited the most from official Chinese Foreign Direct Investment (FDI) in the continent, ranking tenth in total Chinese outward FDI that year.¹⁰ According to the Bank of Sudan, China's proportion of total imports into Sudan climbed by more than 10 percent between 2002 and 2006. Sudan imports mainly machinery and equipment, manufactured products, transport equipment, textiles, and chemicals from China. Imports from China have a direct correlation to Chinese activities in Sudan. The first is the link between Chinese companies doing business in Sudan and Chinese exports to Sudan. An example is the high number of Chinese construction companies and activities that can be linked to the largest export of steel from China to Sudan in 2004. Second is the evidence of a rise in Chinese mechanical and electrical goods exports to Sudan, which was seen by the increase in the market for Chinese goods in Sudan. Sudan's overall exports to China increased by ten percent between 2002 and 2006. (Bank of Sudan figures).¹¹

China's Benefit

China's involvement in Sudan is mostly driven by oil. In 1993, China engaged in oil importation, and its utilization has increased at an exponential rate since then. In 2004, China became the largest consumer of oil after the United States. By the year 2025, China is expected to purchase as much oil as the US does. In 1999, Sudan became a newcomer to the world of oil production. It began exporting oil in 1999. For China and others, Sudan, in particular, offers China and others unique prospects and benefits because of the departure of many western governments and businesses for political or security reasons. Sudan was sanctioned by the US government in 1997, with economic, trade, and financial

⁹ Daniel Large, Sudan's Foreign Relations With Asia, (Pretoria, Institute for Security Studies, Feb 2008), P 6

¹⁰ China Statistical Yearbook, 2006, p 759

¹¹ Ibid

restrictions placed on the country, as well as a ban on US businesses doing business in Sudan. For example, because of the onset of the civil war in Sudan in 1985, the Marathon Oil Corporation, a Texas-based USA oil company, was compelled to cease its operations in the country. Marathon finally liquidated its Sudanese holdings in March 2008. Other western oil corporations that have departed Sudan include Chevron of the United States; Total of France; and Lundin of Sweden. Western corporations were under significant shareholder pressure to leave Sudan during the civil war years (from 1983 to 2005). Despite the 2005 Comprehensive Peace Agreement (CPA) between Sudan's northern and southern regions, international investors remain vulnerable to kidnappings and instability.¹²

CNPC entered Sudan in 1997 and began drilling for oil in the Muglad Basin. In some ways, Sudan was the starting point for CNPC's global market entry. Sudan's petroleum sector began on August 30, 1999, when it made its first export.¹³

China's oil strategy is to turn Sudan into a viable oil exporter; therefore, it is assisting the country with both infrastructural development and real oil discovery and extraction. Sudan's oil output peaked in 2007, thanks to the completion of a 1,600-kilometer pipeline with a 200,000-barrel-per-day capacity. CNPC has also been a partner in the creation of a 930-mile pipeline to the Red Sea, as well as establishing electrical power lines, building a dam, and financing a water pipeline through the desert.¹⁴

Sudan's Benefit

Sudan gains from oil production since the government's earnings are increasing as the export market expands. To gain the favor of the Sudanese administration, China emphasizes their mutual benefits and initiates public-diplomacy initiatives. China assists African countries in the construction of public infrastructures like hospitals and sports stadiums, as well as in the fight against diseases such as malaria and HIV/AIDS. CNPC makes a concerted effort to project a charitable image. Orphanages, nursing facilities for the aged, and hospitals all receive financial assistance from China. It attempts to persuade the world that the People's Republic of China is a generous donor who cares about social welfare and charity to quell criticism and establish a

¹² Ibid

¹³ Ibid

¹⁴ Lindsey Hilsum, *Re-enter the Dragon: China's New Mission in Africa*, Vol.32 No.104/5, Jun/Sep 2005, p 422

nice and tranquil image of China.¹⁵

China provides low-interest loans and foreign assistance with no political or economic strings attached. China, in contrast to the West, does not impose any political sanctions in exchange for assistance. As a result, China is trying to show that Africa is an equal partner operating at the same political level as China. Sudan respects this new political approach. The African countries' self-esteem has increased as a result of China, a major global player, treating them as equals. When President Hu Jintao visited Sudan in June 2008, he emphasized the principles of mutual respect, equality, and reciprocity as the pillars of Sino-Sudanese relations.¹⁶ Sudan values China's policy of non-interference in Sudanese domestic issues, and it no longer needs to rely on Western funding, which, in any case, comes with strings attached.¹⁷

Weapon Sales

Weapons sales are seen by China as a way to improve its status as an international political force and to improve its capacity to secure substantial natural resources, such as oil in Sudan. Between 2003 and 2006, China's military sales to Africa accounted for 15.4% of all conventional weaponry transfers to the continent (about \$500 million). Sudan, Equatorial Guinea, and Ethiopia are among the countries that have received arms.¹⁸

Beijing has been Khartoum's main source of arms, military hardware, and weaponry since 1996. Since 2005, this has been a flagrant violation of the UN-imposed arms embargo in place at the time. Furthermore, utilizing profits from the sale of oil to China, Khartoum has been able to acquire large quantities of military aircraft, heavy artillery, tanks, and armored personnel carriers. These weapons and military supplies were used in Darfur to assist Sudanese government forces and the Janjaweed militia in their fight against opposition groups.¹⁹

Despite the imposition of an arms embargo by the UN in Darfur in 2005, China has maintained a defense engagement with Sudan. Earlier, in July 2004, the UNSC had enforced a prohibition on all non-governmental troops

¹⁵ Von Tilman Dralle, Sudan, Angola and China: Oil, Power and the Future of Geopolitics – A Brief Case Study, October 2007

¹⁶ Ministry of Foreign Affairs of the People's Republic of China, 11th June 2008, Hu Jintao Meets with Sudanese Vice-President Taha

¹⁷ Von Tilman Dralle, Sudan, Angola and China: Oil, Power and the Future of Geopolitics – A Brief Case Study, October 2007

¹⁸ Sino-Sudanese Relations: The Importance of Oil and the 2011 Referendum, Consultancy Africa Intelligence, 30 April 2010

¹⁹ Ibid

operating in Darfur, which was later expanded to include government forces in 2005. The Chinese government defended its arms sales to Sudan as lawful, with the claim that arms sold to its clients were not transferable to third parties, including rebels. But this claim was difficult to verify or even enforce.

Conclusion

China's relationship with Sudan is based on mutual understanding and mutual respect, with no strings attached. However, some, especially Western countries, view China's presence in Sudan as an exploiter of the plenty of natural resources available or China being in Sudan to burden it with cheap investment, which eventually will result in huge debt. The China-Sudan relationship, if harnessed properly, however, would be of great benefit to both parties. African countries need to work together as a continent so as not to be exploited not only by China but by any developed country wishing to partner with it.

CATASTROPHIC COSTS OF HEALTH CARE IN KENYA

Dr Maureen K Kimenye - Ministry of Health

Abstract

There are 150 million people in 89% of countries who contribute. 89% of the global population suffers catastrophic costs incurred while accessing healthcare services annually. This paper sought to describe the management of catastrophic costs faced by patients while accessing health care services in Kenya through the lens of financial risk protection, which arose from economics and the insurance theory. Catastrophic health costs were defined in 2015 as out-of-pocket spending on health of more than 10% of household expenditure or 25% of household income. KDHS reported that 40% of Kenyans pay out of pocket for health care. Only 2% of Kenyans have access to health insurance. The elderly, people from poor households and those with chronic illnesses have the highest risk of facing catastrophic healthcare costs. Other factors that contribute to impoverished families due to the high cost of care include lack of health insurance, cost of medication and hospital care, type of illness, one's economic status, and distance to health facilities. These healthcare costs are a barrier to access to health care, resulting in poverty, job losses, morbidity, and mortality for many Kenyans. An increase in enrolment for NHIF will reduce the cost of care, but it is not sustainable in the long run; a tax-based regime should be considered to protect people from impoverishment due to health care costs.

Background

The world emerged from the Cold War and realised that there were other forms of security other than the military. In the 1994 UNDP report, health security was considered one of the non-military human security aspects.¹ Furthermore, health is one of the fundamental human rights documented by the World Health Organization (WHO). Moreover, health is enshrined in the Kenyan constitution as a right for all its citizens. One would assume that health care would be accessible to all with this background, but unfortunately, the cost of health care makes this a dream for many globally.

The health system exists to provide services to its patients at an affordable price. However, over time, health care costs continue to increase. It is reported

¹ UNDP. 1994. UNDP. Human Development Report. UNDP Annual Report, Nairobi: Oxford University Press.

that 150 million people in 89% of countries, who account for 89% of the global population, suffer catastrophic costs incurred while accessing health care services annually.² The cost of health care in the United States of America is the most expensive globally, with most of it provided through the private sector. Health care in most developing countries relies on out-of-pocket expenditure.³ Costs experienced by households have been recognised as a barrier to health care access.⁴ The sustainable development goals were adopted in the year 2015 at a time when 929.6 million people were reported to have incurred catastrophic costs globally. In 2015, catastrophic health costs were defined as out-of-pocket health spending of more than 10% of household expenditure or 25% of household income.⁵ The proportion of people incurring catastrophic health costs has become a critical indicator in monitoring the implementation of sustainable development goals.⁶

The objective of the paper is to describe the management of catastrophic costs faced by patients while accessing health care services in Kenya. The paper will address the above goal through the lens of financial risk protection, which arose from economics and insurance theory, in order to understand the impact of uncertainty and its economic value.⁷ It focuses on the fact that uncertainty results in economic hardships experienced due to the absence of financial risk protection, as evidenced by the catastrophic costs patients face while accessing health care.

Kenya's Population Economic Status

Kenya is ranked as a low middle-income country as per the World Bank (WB) in 2014⁸, with an estimated population of 46.6 million in 2019^{9 10} and a real

²Ke X. 2003. "Household catastrophic health expenditure: a multicounty analysis." *THE LANCET* 362: p. 111

³Ibid: p. 111

⁴Chuma, Jane, and Thomas Maina. 2012. "Catastrophic Health Care Spending and Impoverishment in Kenya." *BMC Health Services Research* 12: 413.

⁵World Bank, 2019. *Global Monitoring Report on Financial Protection in Health* 2019 ADVANCE COPY p14

⁶Kates W. Robert, Thomas M. Parris & Anthony A. Leiserowitz (2005) What is Sustainable Development? Goals, Indicators, Values, and Practice, Environment: *Science and Policy for Sustainable Development*, 47:3, 8-21. P. 9

⁷Priyanka Saksena, Justine Hsu, David B. Evans. 2014. "Financial Risk Protection and Universal Health Coverage: Evidence and Measurement Challenges." *PLoS Medicine* (Plos Medicine) 11 (9): 1-11.p. 2

⁸World Bank 2018: Kenya Poverty and Gender Assessment: Reflecting on a Decade of Progress and the Road Ahead p. iii

⁹NCPD. 2020. The State of Kenya Population 2020. Annual, Nairobi: The Kenya Government.p. 1

¹⁰KNBS. 2019. Economic Survey 2019. Annual, Nairobi: Kenya National Bureau of Statistics.

GDP of USD 77.5 billion as documented in the 2018 UNDP Annual report.¹¹ The number of people living below the national poverty line in Kenya declined from 46.8% to 36.1% between 2005/2006 and 2015/16.¹² The absolute number of people below the poverty line in 2015 was 17.1 million. With the COVID-19 crisis, it has been demonstrated that more people have fallen into the poverty line.¹³ A country with a significant population below the poverty line risks more people facing high care costs, falling deeper into poverty, and widening the rich-poor gap. Kenya must therefore identify funds to support the health care system and reduce the burden on its citizens.

Costs incurred by patients

The household's expenditure share on health has increased from 30% in 2009/10 to 33% in 2015/16.¹⁴ Healthcare costs borne by the patient can be divided into two categories: direct costs and indirect costs. The direct prices are those the patient incurs to get the actual service at the health facility, such as medicine. However, indirect costs are usually not costed, such as transport to the health facility, costs incurred by the caretaker, and nutrition costs. Various studies have since been done to assess patients' costs of accessing health care. Healthcare costs were reported to have driven 2 million Kenyans into poverty.¹⁵ Outpatient costs, which are rarely covered under insurance, contribute to the highest cost of health care.¹⁶ Barbara reviewed the KDHS and demonstrated that 40% of Kenyans pay out of pocket for health care. Only 2% of Kenyans have access to health insurance. In times of illness, Kenyans depend on Harambee to be able to pay for the fees. Like in countries like Georgia¹⁷, it has also been noted that most people have to sell their property to pay hospital bills. Even with health insurance, only direct costs are covered while the patient still has to pay for the direct costs. Indirect costs contribute to the high price of treatment access as the patients must eat and reach the health facility alone or accompanied.

The World Health Organisation's End TB strategy targets zero catastrophic

¹¹ UNDP. 2018. UNDP Kenya Annual Report 2018. Annual, Nairobi: UNDP Kenya. p.6

¹² World Bank, (2020). Kenya Economic Update: *Navigating the Pandemic*, November 2020 | Edition No. 22, p.9

¹³ Ibid. p. 9

¹⁴ Darmi J. 2021. "Can People Afford to Pay Out of Pocket for Health Care in Kenya?" Institute of Economic Affairs.

¹⁵ Ibid

¹⁶ Paola Salari, Laura Di Giorgio, Stefania Ilinca, Jane Chuma. 2018. "The catastrophic and impoverishing effects of out-of-pocket healthcare payments in Kenya, 2018." *BMJ Global Health* 1-13. p. 8

¹⁷ X. 2003. "Household catastrophic health expenditure: a multicounty analysis." *THE LANCET* 362: 111-117.

costs for TB patients. A study carried out by the Kenya TB program in 2016 showed that it costs patients between KES 27 000 and KES 87 000 for one course of treatment. Even though the Kenya TB policy states that TB diagnosis and treatment are free, patients still incur these costs. Patients incur expenses even when the medicines and tests are free, as demonstrated by a study in South Africa that showed that though the HIV services were provided free of charge in the public sector, the cost before diagnosis and treatment was very high, driving most of them into poverty.¹⁸

The dangers of catastrophic healthcare costs

Health care services may be available but not affordable. The health service costs might not be a problem if a third party were to pay. That way, the person seeking the assistance could afford it. Studies have demonstrated that the elderly¹⁹ are at a higher risk of getting chronic illnesses that require regular hospital visits and more extended admission periods, thus increasing their hospital costs. In addition, this population is rarely covered by health insurance and thus must incur out-of-pocket costs.

Moreover, the same people are retired without a regular income to sustain their health needs. People from the poorest households have also been found to have the highest hospitalisation rate, possibly because they delay coming to the health facility while trying to raise funds for care only to get to a hospital with advanced disease. It has been documented that unemployed people before or after their illness are at risk of catastrophic costs. The following factors also contribute to impoverished families due to the high cost of care: lack of health insurance; cost of medication and hospital care; type of illness; one's economic status; and distance to health facilities.

Consequences of catastrophic health care costs

Health is a human right. However, the labour market has not been protective of this right. It has been noted that people have lost their jobs during illness as employers cite the inability to pay salaries for someone who is not productive at work. Further, the labour policy states that employees can only take sick leave for two weeks and a maximum of three months. One is to get a half salary for the subsequent three (3) months, and after six months, the pay is stopped

¹⁸ Natasha P. 2019. "Patient costs incurred by people living with HIV/AIDS prior to ART initiation in primary healthcare facilities in Gauteng, South Africa." PLOS ONE 14 (2): 1-14. p. 2

¹⁹ Tianchi Yang, Tong Chen, Yang Che, Qin Chen, Dingyi Bo. 2020. "Factors associated with catastrophic total costs due to tuberculosis under a designated hospital service model: a cross-sectional study in China." BMC Public Health 20 (1009). p. 6

entirely, leaving many sick people without an income.

Moreover, most of those who suffer mainly from infectious diseases are those of reproductive and productive age. Job losses among this breadwinning group leave a household impoverished due to the catastrophic costs they must bear. Poverty is one of the human security aspects raised by the UNDP in 1994. The Institute of Economic Affairs reports that the lack of financial protection among the population contributes to low access to health care, undermining the health status of the community and aggravating health and socioeconomic inequalities.²⁰

Mitigation of Catastrophic Health Care Costs

The World Health Organization calls for the protection of households from impoverishment and catastrophic financial and medical costs while seeking health care.²¹ In the Kenya constitution, access to quality health care and emergency care is a right for every Kenyan citizen.²² Furthermore, one of the critical areas under the social pillar in Kenya Vision 2030 is health. To assure Kenyans of this reality, the President, in his Big 4 Agenda, identified Universal Health Coverage (UHS) for implementation. UHC is aimed at increasing access to quality health care while protecting citizens from financial strain.

The Kenya government has been championing the increase of health cover for Kenyans and has instituted various reforms within the insurance sector. The National Health Insurance Fund (NHIF) Act has been revised as part of these reforms. Only 2% of Kenya's population so far has access to health insurance, with 18% and 32% of them covered under NHIF and private insurance companies, respectively.²³ Private health insurance is typically available for those working in the formal sector, as employers rely on employee dynamics to obtain adequate health coverage. In addition, employers must pay into the National Health Insurance Fund for their employees. Hence, those in formal employment are covered.

Kenya has been known to have a high cost of living, increasing taxation, a high rate of unemployment, and, with COVID-19, high job losses. Unemployment and the loss of jobs have reduced the number of those covered under insurance. It is, therefore, necessary to consider methods of cushioning

²⁰ Darmi J. 2021. "Can People Afford to Pay Out of Pocket for Health Care in Kenya?" Institute of Economic Affairs.

²¹ Darmi J. 2021. "Can People Afford to Pay Out of Pocket for Health Care in Kenya?" Institute of Economic Affairs.

²² Republic of Kenya. 2010. Constitution of Kenya 2010. Nairobi: Government Printer p.31

²³ Darmi J. 2021. "Can People Afford to Pay Out of Pocket for Health Care in Kenya?" Institute of Economic Affairs.

citizens against the cost of care. Various ways can be explored, including a social health insurance fund to cater to all formal and informal sectors and indigents. The Government of Kenya has been implementing different projects to cater to this, starting with the Linda Mama project of the First Lady, which aimed to reduce maternal and infant mortality by ensuring that any pregnant woman could deliver at a health facility at a cost to the government. It then proceeded to introduce NHIF cover for the elderly and school-going children. In 2020, the government started a registration process for a million indigents who would benefit from free access to health care.

The government eliminated user fees for primary health care in levels 1, 2, and 3, except for user fees.²⁴ Since health is a devolved function, the national government has to compensate the counties for these user fees foregone through conditional grants. It is expected that the counties will increase their expenditure on inputs necessary to sustain good quality health care. It is also hoped that the NHIF reforms will result in timely and accurate payments to health facilities to improve the care and services offered. All of this is geared toward lowering out-of-pocket costs, lowering catastrophic costs of care, and improving the quality of care provided to Kenyans. As more people get enrolled in insurance, there will be an increase in demand for health service care. As such, both county and national governments should prepare to strengthen the health facilities and increase the number of health workers to meet the anticipated demand. This phenomenon was observed during the UHC pilot phase and in the USA as health insurance coverage increased.²⁵ (Branning G, 2016).

Finally, social insurance may reduce the catastrophic costs of health care. It has been observed that there is no documented evidence of how much. In 2007, Ke XI noted that there was no evidence that social insurance systems would offer better protection than tax-based systems.²⁶ The social health insurance fund has been demonstrated²⁷ to be sustainable during the first few years of implementation. Hence, it ensures that health expenditure does not overrun the available funds within the first few years of performance. Over time, however, it becomes less sustainable. This study concluded that a tax system would be most sustainable in the long term to reduce health care costs

²⁴ Darmi J. 2021. "Can People Afford to Pay Out of Pocket for Health Care in Kenya?" Institute of Economic Affairs.

²⁵ Branning G, 2016. "Healthcare Spending: Plenty of Blame to Go Around." p. 445

²⁶ Ke X. 2003. "Household catastrophic health expenditure: a multicounty analysis." *THE LANCET* 362: p.111

²⁷ Vincent O. 2017. "The cost of free health care for all Kenyans: assessing the financial sustainability of contributory and non-contributory financing mechanisms." *International Journal for Equity in Health* 16 (3): 1-13. p 3

for patients.

Conclusion

The out-of-pocket costs lead to catastrophic health costs, impoverishing many households. The elderly, poverty in families, and absence of income are at risk of devastating health care costs. Poverty is a human security issue and should be prevented. Health is a fundamental right and should be protected. Through UHC and NHIF, the government increases the proportion of Kenyans covered by health insurance to reduce patients' costs of health care. Though social insurance plays a significant role at the beginning of the UHC scheme, it becomes less sustainable over time. Such a tax system would be the best way to ensure all Kenyans cater for their health. The findings are in line with the theory that indicates that uncertainty results in economic hardships experienced due to the absence of financial risk protection, as evidenced by the catastrophic costs patients face while accessing health care and proven by the role played by health insurance.

ROLE OF LEADERSHIP AND GOVERNANCE IN AFRICA'S SOCIO-ECONOMIC DEVELOPMENT

Mr Evanson N. Mairura - Kenya Revenue Authority

Abstract

Policymakers, scholars, and practitioners all agree that everything begins with leadership. When leadership is combined with good governance, then the two create a potent force that can go a long way to ignite sustainable development for the citizens of Africa. Such is the view that this essay has adopted as it further seeks to answer the question, “What is the relationship between leadership, governance, and development?” The fulcrum of the essay’s discussion is the other related question, “What role do leadership and governance have in realizing development in Africa?” The study begins by discussing the meanings of leadership, governance, and development; the elements and impediments of good governance; and the positive impacts that it can have on African development. It points out the significance of good governance while managing state affairs and focuses on the need of all leaders and actors to adapt and practice its tenets for the sake of progress and development. Also, the study takes the position that leadership and governance are interrelated concepts that cannot be separated and must always go hand in hand while addressing development issues. The study concludes by recommending positive prospects that may address the African governance challenge.

Keywords: *Leadership, governance, development.*

Introduction

In a summit whose theme was “Governance for Sustainable Growth and Development” held in July 1997, the then United Nations Secretary-General, Mr Kofi Annan, observed that good governance and sustainable development could not be separated.¹ Governance, particularly when it is certified as being good, together with leadership, has always been envisaged to be enabling forces that can bring about the transformation of a state, a society, an economy, a polity, or a nation. Leadership and governance provide the means through which people come together in a structured manner to make crucial decisions that generate development. Crucially, many scholars have always asserted that

¹See UNDP, (1997). Governance for sustainable growth and equity (New York; Bureau for Development Policy) p1

leadership and governance are the beginning point as well as the means to sustainable economic growth and development in Africa.

This essay attempts to elicit a debate on the question of leadership, governance, and development in Africa. The essay begins by providing a concrete definition of the three concepts. Taking leadership and governance as the independent variables on one hand and development as the dependent variable, on the other hand, the essay advances the argument that there is a positive co-relationship that coheres between leadership and governance on one hand and development on the other. While many scholars have successfully argued that leadership and governance may certainly be the key enabling forces that generate development in Africa, at times, this may not be the case due to certain barriers and impediments that may hinder good governance.

To tackle the above questions, this paper has been structured into three sections. The first section addresses conceptual issues such as leadership, governance, and development. The second section discusses the relationship that interfaces leadership & governance elements on the one hand and development on the other. The last section surveys the impediments to good governance and their implications for development in Africa.

Main Discussion

Leadership is a complex, multi-dimensional phenomenon that manifests as a responsibility; a style; a behaviour; a process; a characteristic, an ability; a position of authority; an experience; a skill, a function of management and an influencing relationship.² Maxwell (1998) defined leadership as a means by which influence is exerted by an individual in relation to a group of people.³ Also, Kotter (1990) defines leadership as the capacity that one person possesses and uses so as to bring about certain collective actions aimed at vitalizing others.⁴ Drucker (1999) concluded that a leader is a person whom others follow; hence, he has people following him.⁵ Governance is understood to refer to the practice of political, economic, and administrative authority to administer the affairs of the state at all levels.⁶ Simply put, it is the process by

² Northouse, P. (2007). *Leadership theory and practice*. Thousand Oaks, CA: Sage Publications. P 2-4

³ Maxwell, J C (1998) *21 Irrefutable Laws of Leadership*. Nashville, Tennessee: Thomas Nelson, Inc. p 1-7

⁴ Kotter, J. P. (1990b). *A force for change: How leadership differs from management*. New York, NY: Free Press..

⁵ Drucker, P F (1999) Knowledge-worker productivity: The biggest challenge. *California Management Review*, 41 (2), 79.

⁶ Committee of Experts on Public Administration, *Definition of basic concepts and terminologies in governance and public administration* (New York, 2006), 4-5

which decisions are made and implemented. Others view it as “the manner in which power is exercised in the management of a country’s economic and social resources for development” through mechanisms, processes, and institutions that citizens and groups use to express their concerns, affect their legal rights, meet their obligations, and arbitrate their differences.⁷ Also, governance has been recognized to be simply the act of governing or the complex relationships that exist between the state and its citizenry (i.e., civil society and the private sector). The government is a crucial component of the state. In most countries, the government is that which has been constitutionally bestowed with the responsibility of managing state affairs through various institutions in order to build a better society for the welfare of its population. The state, therefore, performs a key function during the process of administration. As the government administers the state, it establishes a bond linking itself through its institutions and its population. This connection has become a focal point that has given rise to the important concept of governance.

Normative thinkers have added the word “good” to “governance” in reference to the phenomenon of a higher quality of governance. Good governance, therefore, connotes the practice of governing in a good way.⁸ Whereas good governance comprises ideals that are open, transparent, accountable, equitable, and participatory, bad governance does not. Governance applies in different settings, such as the corporate, local, interstate, and international domains. While governance has to do with the process of making and implementing decisions, a critical examination of governance focuses on the need of all the actors engaged in the formulation and implementation of decisions to abide by the very important codes of good governance. Apart from the government, other actors involved in the process of governance comprise non-state actors such as civil society and the private sector.

Development is understood to mean the overall improvement, in quantitative terms, of a group of people, society, or nation. The central purpose of development ought to be the creation of an enabling environment in which individuals, including the poor and vulnerable, can enjoy healthy and meaningful lives.⁹

In terms of the theoretical framework, this paper is anchored on the paradigm that is advanced under institutional theory. Institutional theory, proposed by Douglas North, is an approach to the study of politics that

⁷ Kuldeep Mathur, *From Government to Governance*, National Book Governance: An Overview Trust (New Delhi: 2009), 6-7.

⁸ Thomas G. Weiss, “Governance, Good Governance and Global Governance: Conceptual and Actual Challenges,” *Third World Quarterly* 21, no. 5 (2000): 795–814. <http://www.jstor.org/stable/3993619>.

⁹ UNDP, *The African Governance Forum: Conceptual Framework* (UNDP, undated) p8

explores the mechanisms, ways, and means through which formal institutions of government conduct their affairs. This theory considers the means through which structures, comprised of norms, rules, schemes, and routines, develop into authoritative principles that guide social behaviour. Governance, in this essay, has been taken as the practice and process by which political, economic, and administrative authority and decisions are applied to administer state affairs.

The institutional theory will further be supported by the agency theory, proposed by Barry Mitnick and Stephen Ross. The agency theory is used to understand the relationship that exists between agents and their principals. It posits that the agent, in his representational role, is expected to exemplify the best interests of the principal he is serving without putting his own self-interest in the relationship. This paper recognizes that leaders are the key actors in the process of governance and, as such, are expected to be transparent and accountable to those that they serve.

Does Africa have good governance? It has been observed that good governance is not so common in Africa. However, it has been reported that countries such as Mauritius, Botswana, Ghana, and Senegal exhibit good governance. Looking at it through the lens of development, good governance is a key channel for stimulating sustainable development, lowering poverty, upholding peace and entrenching democracy. Asefa argues that countries that practice good governance also exhibit high levels of efficiency in the provision of public and social services, abide by the rule of law and robustly engage with their institutions in a manner that is inclusive and responsive to the needs of their citizenry.¹⁰ These countries score high in transparency ratings and promotion of participatory engagement, including a demonstration of high esteem for their citizens. Such countries have also been noted to allow for an open and thriving press as well as freedom of expression.

Good governance has eight (8) key attributes, namely: it is participatory; it is consensus-oriented; it is accountable; it is responsive; it is transparent; it is effective and efficient; it is equitable and inclusive, and it follows the rule of law. First, participation by all citizens of all genders, races, tribes, or socio-political diversity is a key hallmark of good governance. All actors engaged in the process of governance must be able to engage with each other. Participation could be exercised directly by the said persons or through institutions or elected agents who have been mandated to represent them. Participation ought to be

¹⁰ Sisay Asefa & Wei-Chiao Huang, *The Challenges of Good Governance and Leadership in Developing Countries: Cases from Africa and China in The Political Economy of Good Governance*. (Michigan: W.E. Upjohn Institute for Employment Research Kalamazoo, 2015). p6-10

informed and properly structured. Citizens need to enjoy a good measure of freedom of association and expression so that they can engage other actors like civil society and political leaders. Extensive participation is fundamentally founded on the liberty of association and freedom of speech. A participatory approach to the delivery of public services is paramount if the needs of the public are to be met effectively.

Second, good governance must be underpinned by a high degree of consensus among all actors involved in the governance process. All these actors will have as many viewpoints as possible. Good governance necessitates mediation of the divergent concerns in a nation so that a wide consensus on that which is agreed to be in the best interest of all is agreed upon and attained. If there is to be a unity of purpose upon which any sustainable development is to be designed, broad and long-term perspectives have to be agreed upon. Third, accountability is also a vital prerequisite of good governance. All the actors in the governance process have to demonstrate accountability to the public and other interested parties. Generally speaking, organizations or institutions render their accountability to those that will be affected by their decisions or actions. Transparency and accountability go hand in hand and have to be enforced alongside the rule of law.

Fourth, transparency refers to the manner in which decisions, including their enforcement, abide by the rules and regulations. Good governance requires strong institutions of transparency, including a robust and diverse civil society, which operates with free liberty of expression and association. Fifth, good governance needs legal structures that are administered neutrally and operate under the strict rule of law. The rule of law involves the appropriate and balanced codification of state laws and the adherence and implementation of laws by all uniformly. Good governance pays keen attention to the serious protection of human rights, specifically those of minorities. Impartial enforcement of laws requires an independent judiciary and an impartial and incorruptible police force. Good governance requires that an effective and functional legal mechanism works to transmit a robust rule of law. Further, good institutions that promote codes of conduct regulating the actions of individuals and organizations and the mediation of disparities between them need to be set up to entrench good governance.

Sixth, good governance must be responsive. Leaders, institutions, and processes engaged in the governance process need to try their level best to serve all actors within stipulated deadlines. Unresponsive leadership always leads to resentment, opposition, and antagonism from those that are governed. Many attempted, and successful *coups de tats* in Africa have been attributed

to leaders who were not receptive to the needs of their citizens. Seventh, governance processes and decisions need to be inclusive and equitable. The well-being of a society is dependent upon guaranteeing that all its citizens believe and experience that they are part of it and, as such, have a stake in it; in this way, they will not feel excluded from the majority. This necessitates that all groups, but specifically the most vulnerable, be accorded opportunities to enhance or maintain their well-being. The most vulnerable groups in society include women, youth, children, the physically disadvantaged, the sick, the poor, the marginalized etc. Eighth, effectiveness and efficiency are key requirements of good governance. Good governance connotes that processes and institutions need to generate outcomes that satisfy societal needs while optimally utilizing the resources at their disposal. The nexus between efficiency and good governance also extends to the prudent management of our natural resources as well as the conservation of the environment.

Good governance also matters for economic development. Public policies that encourage substantial increases in the level of economic activity; a vibrant private sector; and socio-economic policies that will result in poverty alleviation and wealth creation are also critical elements that need to be driven by good governance. For an economy to grow well, an efficient, free, market-based economy has to be attained. Investing in people is a high priority that can be realized through the implementation of policies and programs that increase citizens' chances of receiving high-quality social services such as education, health, and other services that support a country's population resource base. Institutions operating under sound corporate governance structures are indispensable in the advancement of a viable private sector. Prudent oversight of the key aspects of the national economy plays an important role in order to lower poverty as well as maximising economic and social advancement.

The process of good governance has been confronted by various impediments and barriers in Africa. These impediments are multifaceted, multi-dimensional, and severe in character. Essentially, all these impediments are interconnected to each other. Some of the most pressing impediments are as follows:

First, there is a general lack of awareness, manifesting itself as deficient literacy and scarcity of information from the side of governments, coupled with the failure of civil society institutions to teach citizens about governance, democracy¹¹ and development issues. The sense of a lack of concern among

¹¹ African Economic Outlook, Chapter Five on 'Political and economic governance in Africa', AfDB, OECD, UNDP (2016), page 4. <http://www.africaneconomicoutlook.org/en/outlook/political-and-economic-governance-in-africa>

people also exacerbates the problem. Second, there is also a deficit of accountability and transparency; governance becomes wrecked as a result of the absence of transparency. Furthermore, lack of accountability promotes autocracy and tyranny, and this results in a wide gap between those that are in government leadership and those that are governed. The participation of citizens is also given a lot of prominence in the affairs of governance. Third, corruption and the subsequent failure to check corruption also impede good governance. Corruption is generally identified as private gains arising from the use of public resources in unethical ways. This occurrence takes away development benefits from people.

Fourth, a fragile civil society is also a barrier to good governance. Civil society links the governed citizenry to the government, especially by checking the proliferation of unethical practices. When civil society institutions are weak or absent, the gap between citizens and the government gets amplified. Good governance is extremely compromised by fragile civil society institutions. Finally, a lack of robust institutions of governance can also affect good governance. Having weak legislative, executive, and judicial institutions that operate with poor checks and blurred separation of powers can inhibit good governance in such a way that development is hindered.

Conclusion

On the whole, good governance and leadership hold positive prospects for Africa. Governance is expected to be considerably improved if African leaders adopt goals such as these: offering effectual leadership; upholding transparency and accountability; indulging the opposition with positive esteem and respect, and overhauling public institutions that galvanize the elements of good governance in the democratic process. According to Oko, if leaders pursued good governance ideals seriously and vigorously, there would be an entrenchment of the essential tenets of good governance, which would benefit many third world countries. The discussion above has pointed out clearly that good governance is a standard of democratic leadership that is not easy to attain. Few countries and societies in the world have almost come to fully realize good governance in its fullness. Nonetheless, in order to guarantee that viable human development is within reach, suitable strategies ought to be put to work towards attaining this model with the goal of causing it to be an actuality. When good governance is being practised, corruption takes a back seat, the participation and views of minorities are considered, and the voices of the minorities within the community are heeded and factored in decision-making. Asefa & Huang suggest that good governance as a function

of sustainable human development is a multi-dimensional process which includes the comprehensive socio-economic and political transformation of societies; it is meant to enhance human progress in all its dimensions, including freedom of political and economical choice.¹² It is crucial that leaders understand the importance of governance as a leadership framework. Leaders must make a firm commitment to promote inclusive participation by all in the governance process. Governance should result in delivering outcomes that are transformative and, at the same time, promote sustainable human development.

¹² Sisay Asefa & Wei-Chiao Huang, The Challenges of Good Governance and Leadership in Developing Countries: Cases from Africa and China in *The Political Economy of Good Governance*. (Michigan : W.E. Upjohn Institute for Employment Research Kalamazoo, 2015) (pp. 131-153)

GLOBAL EFFORTS TO CONTROL WILDLIFE CRIME: MEANS, OPPORTUNITIES, AND DIFFICULTIES

Mr Joseph S. Meteti, Kenya Wildlife Service

Abstract

This article examined the global efforts made to counter wildlife crime, which is one of the top five globally ranked illicit trades, by reviewing existing literature to answer the main research question – what are the means and opportunities available for enhancing global efforts in combating wildlife crime? The cooperative proposition of the liberalism theory guided the research. It has been established that there is empirical evidence supporting the global consensus that wildlife crime is a multifaceted threat to global environmental, security, health, economic, and social development. It has been linked to armed conflicts where proceeds from wildlife crime are used to sustain armed groups' criminal activities. Wildlife resources have also been used to draw global attention to armed conflicts through resource capture, retaliatory killings, poaching, and illegal wildlife trade. Correspondingly, the global response to wildlife crimes has drawn remarkable attention with promising results. There are challenges and opportunities for enhancing and sustaining a global response to wildlife crime.

Introduction

Wildlife crime has been recognized as a global problem with environmental, security, health, social, economic, and cultural implications nationally, regionally, and internationally. It is sufficient to say that it is a threat to the national interests of states. When illegal timber and fisheries trade is excluded, it is one of the top four most lucrative illegal trades in the world, with an estimated value of US \$7.8 to \$10 billion per year.¹ It ranks after drug, human, and arms trafficking. It is characterized as a complex, fast-changing, and heterogeneous issue. The increased global attention to wildlife crime stems from the realization that it is a transnational crime that involves organized groups.

¹The World Bank (2016) Global wildlife program: a global partnership on wildlife conservation & crime prevention for sustainable development. Accessed on 20/08/2021 at <https://thedocs.worldbank.org/en/doc/601221479359840227-0120022016/original/GWPBrochureWEB.pdf>

The United Nations, the US government and the African Union, have firmly linked wildlife crime to human and national security issues.²

The quest for wildlife crime to be addressed through policies, legislation, regulations, and public participation dates back to the 1970s. The Convention on International Trade in Endangered Species of fauna and flora (CITES), which is a multilateral treaty to protect animal and plant species endangered by international trade, was mooted in 1963 but became effective on July 1st, 1975.³ Despite all the efforts to combat wildlife crime, available data points to a worsening situation. Lawson and Vines reported that the number of endangered species poached has been rising at an unsustainable rate.⁴

The African Union reported that between 2009 and mid-2014, 170 tons of ivory were estimated to have been illegally exported out of Africa, representing approximately 230,000 African elephants.⁵ Clarke and Babic estimated that Africa lost over 100,000 elephants to poachers between 2010 and 2012.⁶ More wild plants and animals continue to be negatively impacted by wildlife crime. Pangolins, whose plight is not as publicized as other iconic species, are now considered to be the most heavily illegally traded mammal species globally as a result of poaching and trade for their scales and meat. More species continue to be threatened and driven to extinction. There is evidence of the involvement of armed non-state actors in conflicts. More rangers continue to be killed while protecting wildlife resources.

The Need for a Global Response to Wildlife Crime

The world has changed dramatically since the 1970s, as has the globalized nature of wildlife crime. The findings of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) Assessment and the 2019 World Bank Report demand a fundamental shift in approach. According

² International Institute for Sustainable Development (2014). International Wildlife Crime: An IISD Overview of Recent Events. Accessed on 18/08/2021 at <http://sdg.iisd.org/commentary/policy-briefs/international-wildlife-crime-an-iisd-overview-of-recent-events/>

³ Wijnstekers, W. (2011). The Evolution of CITES - 9th edition. International Council for Game and Wildlife Conservation, Budapest: pp 25-27. Accessed on 12/08/2021 at https://cites.org/sites/default/files/common/resources/Evolution_of_CITES_9.pdf#page=2&zoom=auto,-344,326

⁴ Lawson, K., and Vines, A. (2014). Global Impacts of the illegal Wildlife Trade. The Costs of Crime, Insecurity and Institutional Erosion. Royal Institute of International Affairs, London. Accessed on 12/08/2021 at <https://www.chathamhouse.org/sites/default/files/public/Research/Africa/0214Wildlife.pdf>

⁵ Vira, Varun., Ewing Thomas, and Miller Jackson. (2014). Out of Africa: Mapping the Global Trade in Illicit Elephant Ivory. C4ADS, P-3. Accessed on 27/08/2021 at <https://www.wfse.cdn.triggerfish.cloud/uploads/2018/12/out-of-africa.pdf>

⁶ Clarke, A. J and Babic A. (2016). "Wildlife trafficking trends in Sub-Saharan Africa", in OECD, Illicit Trade: Converging Criminal Networks. OECD Publishing, Paris P-61

to the IPBES report, one million species are facing extinction within decades unless we change course.⁷ The report concludes that the illegal wildlife trade costs governments between USD7 and USD12 billion per year. It also causes between USD 1-2 trillion of damage to ecosystems⁸ describes the illegal trade in wildlife as one of the five major threats to nature.

Research has revealed that zoonotic disease-causing viruses can be transmitted from wild animals to people and vice-versa, thus augmenting the threat of wildlife crimes to humanity. It is also estimated that 1.7 million yet-to-be discovered viruses are believed to exist in wild animals, and almost half of them could be transmitted to human beings. Ebola, influenza (H5N1), avian severe acute heart disease, respiratory syndrome (SARS), and monkeypox are examples of real threats. Interestingly, while the links to climate change are significant, it is the possible links between wild animals and COVID-19, as well as the threats posed by future viruses spilling over from wild animals to people, that give more impetus to explore ways to end wildlife crime.

Studies have also established links between wildlife crime and conflicts, thereby linking wildlife crime to local and international conflicts and security interests. In concurrence with similar findings on other high-value natural resources, Douglas and Alie assert that wildlife crime can greatly influence violent conflicts, particularly in developing and weak states.⁹ Wildlife crime has been identified as a source of funds for criminal networks seeking to start or perpetuate conflicts in war-torn or conflict-hot spots in the world. Some of the cited examples where militias have resorted to poaching and illegal wildlife trade to sustain their conflicts are Chad and Afghanistan.¹⁰ Although elephant and rhino poaching and the resultant trafficking in ivory and rhino horns are the most commonly known high-value wildlife crimes, research findings point to this being only the tip of the iceberg in terms of wildlife trafficking linked to complex criminal syndicates, state corruption, and conflicts. It has also been established that the illegal wildlife trade is linked to other types of transnational organized crime, such as arms trafficking, money laundering, and drug smuggling. This is in addition to evidence linking the illegal wildlife

⁷ IPBES. (2019): Global assessment report on biodiversity and ecosystem services of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services. E. S. Brondizio, J. Settele, S. Díaz, and H. T. Ngo (editors). IPBES secretariat, Bonn, Germany. Accessed on 27/08/2021 at <https://doi.org/10.5281/zenodo.3831673>

⁸ Scanlon, John, E. (2020). To end wildlife crime global responses must move with times. Accessed on 13/08/2021 at <https://www.linkedin.com/pulse/end-wildlife-crime-global-responses-must-move-times-scanlon-ao>

⁹ Leo R Douglas and Kelvin Alie. (2014) "High-value natural resources: Linking wildlife conservation to international conflict, insecurity, and development concerns", *Biological Conservation*.

¹⁰ Ibid p-272

trade to the erosion of state authority, fueling conflicts and threatening state stability.¹¹

Armed and non-armed conflicts, the undermining of economic development and environmental governance can be perpetrated through resource capture, grievance-based conflict, and wildlife resource-linked dissent. Resource capture is when valuable wildlife resources are captured as a means of securing wealth and power. The means used include large-scale poaching, intimidation, arrest and killing of wildlife law enforcement officers, and taking control of wildlife-inhabited areas.¹² Documented incidences include the Afghanistan Taliban engaging in the illegal trade in falcons; Al Qaeda, Al-Shabaab, Janjaweed, and the Lord's Resistance Army benefiting from elephant poaching.¹³ Similarly, the lucrative rhino horn trade has been linked to civil conflicts in Congo, Sudan, and Uganda.¹⁴ The 2013 UN report states "that African militias routinely appear to trade elephant ivory for weapons, and that the links between the wildlife trade and both criminal and terrorist activities constitute a grave menace to sustainable peace and security in central Africa."¹⁵

Grievance-based conflict is when wildlife resources are used as a means to revenge or vent feelings through violent actions such as sabotage, vigilante attacks, and retaliatory killings. The Mai-Mai rebels are reported to have massacred hundreds of hippopotamuses in DRC's Virunga National Park to draw international attention to their plight. They also threatened to kill the critically endangered gorillas.¹⁶ Resource-linked dissent refers to discontent by communities at being edged out of the benefits arising from wildlife resources yet bearing the greatest costs of sustaining them. Researchers have also linked high corruption incidences to persistent wildlife poaching and trafficking, including by officials that facilitate trafficking.¹⁷

Wildlife resources support many economies in the world and play a significant role in national and regional development. Wildlife-based tourism

¹¹ Lawson, Katherine and Vines Alex. (2014). *Global Impacts of the Illegal Wildlife Trade: The Cost of Crime, Insecurity and Institutional Erosion*. Royal Institute of International Affairs, London. P3-8

¹² Ibid p-273

¹³ WWF. (2012). *Fighting Illicit Wildlife Trafficking: A Consultation with Governments*. WWF International, Gland, Switzerland. P-17

¹⁴ Karanja, D. (2012). The role of the Kenya wildlife service in protecting Kenya's wildlife in the 21st Century: *protecting globally significant areas and resources*, vol. 29, pp. 74–80.

¹⁵ United Nations (2013). Report of the Secretary-General on the activities of the United Nations Regional Office for Central Africa and on the Lord's Resistance Army-affiliated areas. United Nations Security Council, pp. 1–16.

¹⁶ Wadhams, N., (2007). Endangered Gorillas "Held Hostage" by Rebels in Africa Park. In: National Geographic News. National Geographic.

¹⁷ Lemieux, A.M., Clarke, R.V., (2009). The international ban on ivory sales and its effects on elephant poaching in Africa. *Br. J. Criminol.* 49, 451–471.

has been one of the fastest-growing segments of global tourism, thereby contributing significantly to economic growth. Several African countries depend on wildlife-based tourism as a substantial revenue earner. These include Kenya, Botswana, Tanzania, Rwanda, and Uganda, whose national development plans give explicit recognition of the importance of wildlife resources.¹⁸ The proportion of tourism earnings as a proportion of GDP ranges from 4% to 13%, with Kenya at 8.1%, Botswana at 13.1% and Tanzania at 10.7% in 2019, thus underscoring the importance of wildlife resources to African economies.¹⁹

Global Response to Wildlife Crime

Wildlife crime has drawn reactions and responses from a diversity of actors globally. The International Consortium for Combating Wildlife Crime (ICWC), which is a coalition of five intergovernmental organizations, was formed in November 2010 to facilitate and coordinate support for the national wildlife law enforcement agencies.²⁰ The ICWC partner agencies are the INTERPOL, the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) Secretariat, the World Customs Organization (WCO), the United Nations Office on Drugs and Crime (UNODC), and the World Bank. The ICWC has coordinated the production of five documents to assist in countering wildlife crimes. Additionally, the individual ICWC partners have established projects and programs targeted at illegal wildlife trafficking.

In 2013, the CITES Secretariat flagged eight countries which bear the greatest responsibility for global elephant poaching and illegal ivory trade and are commonly vilified as the “gang of eight.”²¹ The countries were categorized into source countries, which were Tanzania, Kenya, and Uganda, transit countries, Malaysia, the Philippines, and Vietnam, and destination countries, China and Thailand. They were tasked with developing strategies to control poaching and ivory trafficking or face sanctions for trading in wildlife.

¹⁸ Leo R Douglas and Kelvin Alie. (2014). “High-value natural resources: Linking wildlife conservation to international conflict, insecurity, and development concerns”, *Biological Conservation*, 271-275

¹⁹ World Bank. Tourism in Africa: Harnessing Tourism for Growth and Improved Livelihoods. Accessed on 9/3/22 at <https://www.worldbank.org/content/dam/Worldbank/document/Africa/Report/africa-tourism-report-2013-overview.pdf>

²⁰ CITES. What is ICWC? Accessed on 13/08/2021 at https://cites.org/eng/prog/icwc_new.php

²¹ Bridget Martin. (2019). “*Survival or Extinction?*” Springer Science and Business Media LLC

In 2016, the CITES Standing Committee approved Kenya's exit from the list of 8 countries, noting that it had successfully implemented set requirements.²² The other parties commended were China, the Philippines, Thailand, and Uganda.

The global responses to wildlife crime have also been undertaken at regional levels. The North American Wildlife Enforcement Group brought relevant law enforcement agencies together from the United States, Mexico, and Canada. The Wildlife Trade Enforcement Group in Europe, consisting of Wildlife Inspectorate officers, Customs, CITES Management Authority and police, was established by the EU wildlife trade regulation and is chaired by the European Commission.²³ Similar initiatives have also been registered in Southeast Asia, the Horn of Africa and Central America, where Wildlife Enforcement Networks (WENs) have been established. These collaborative efforts, akin to coalitions, have been instrumental in countering wildlife trafficking by providing platforms for undertaking joint operations and sharing information. The African Union and the East African Community enacted strategies for combating the illegal wildlife trade. Both strategies recognize poaching and illegal wildlife trade as threats to economic development, ecological integrity, and national security.²⁴

The Global Response to Wildlife Crime Faces Difficulties

There are several challenges facing global efforts to counter wildlife crime. The challenges include the inherent weaknesses in the governance of wildlife resources within the source countries. Many agencies protecting wildlife lack the capacity in terms of funds, human capital, equipment, and skills to protect wildlife resources from being exploited. The legal and institutional frameworks are also weak. In many countries, wildlife crime is not regarded as a mainstream crime, making it fall behind other crimes such as drug and human trafficking.²⁵ There is no international oversight body to monitor wildlife crimes as we have the international Drug Control Board and Commission for Drugs and Narcotics overseeing drug trafficking. The dynamism of wildlife

²² KWS. <http://www.kws.go.ke/sites/default/files/Breakthrough%20for%20Kenya%20at%20CITES%20meeting.pdf> Accessed on 13/08/2021

²³ Sellar John M. (2014). *Policing the trafficking of wildlife: Is there anything to learn from law enforcement responses to arms and drugs trafficking*. The Global Initiative Against Transnational Organized Crimes. P 18

²⁴ African Union. African Strategy on Combating Illegal Exploitation and Illegal Trade in Wild Fauna and Flora in Africa. (2015) African Union, Addis Ababa. P-6

²⁵ Sellar John M. (2014). *Policing the trafficking of wildlife: Is there anything to learn from law enforcement responses to arms and drugs trafficking*. The Global Initiative Against Transnational Organized Crimes. P 20-26

crimes is another challenge facing the world. There are shifts in places, targets, and means of wildlife crime. Pangolins, lion bones, rosewood, and sandalwood are being trafficked from Africa because of reduced availability in Asia. Rhino horns are now being sought for their perceived medicinal values. West Africa has emerged as a major wildlife trafficking route, while East Africa seems to have controlled the smuggling. This makes it difficult to plan for interventions.

Conclusion

In spite of the surge in wildlife crimes and the challenges facing global efforts, opportunities abound for countering wildlife crime. There are promising results from the efforts made. Rhino and elephant poaching levels have significantly gone down. Kenya, for instance, recorded no rhino poaching in 2020, the first since 1999.²⁶ There is a united cause by leaders and institutions both in the private and public sectors. Developments in science and technology are being harnessed to counter wildlife crimes. DNA sequencing is being used to trace the geographic origins of ivory, while the Rhino Database Indexing System (RHODIS) is being employed to crack down on rhino horn trafficking cartels. There is also increased financial commitment to support the countering of wildlife crimes. Ivory stockpiles have been destroyed, and ivory markets have been closed in some key consumer countries in Asia. There is enhanced cooperation between source and transit countries in combating the illegal wildlife trade globally. We should, therefore, not let wildlife criminals defeat the global effort. It takes a network to defeat a network. Let us unite against wildlife crimes.

²⁶ <https://www.bornfree.org.uk/news/kenya-rhino-poaching> accessed on 27/08/2021

EVALUATING THE IMPACT OF STIGMA AND DISCRIMINATION ON OFFENDER REINTEGRATION

Mr Henry K. Limanye - Kenya Prison Service

Abstract

This journal aims to give insight into offender reintegration, with a specific focus on the influence of stigma and discrimination on the reintegration of offenders. The journal will look at the reintegration process and the actors involved. It will give attention to the definition of stigma and discrimination and how released offenders experience them during reintegration. The journal will attempt to answer the following two questions: How does stigma influence offender reintegration? And how does discrimination influence offender reintegration? Several studies have been carried out over the years on barriers to effective reintegration of offenders. Therefore, this journal seeks to add to existing knowledge and fill the gap on how to address issues of stigma and discrimination to facilitate the reintegration process of released offenders. The journal article also examines the effects of stigma and discrimination on the released offender, including isolation, offender recidivism, and mental health issues, among other things. Finally, there is a discussion on possible interventions to minimize or reduce stigma and discrimination. For example, there is a discussion on possible interventions to create awareness in communities, encourage family visits in prison, reconciliation, and adopt restorative justice in order to make the reintegration of released offenders successful. A conclusion of the journal will sum up the general themes identified.

Introduction

Offender reintegration continues to be a serious global challenge¹, with recidivism rates at an all-time high of an average of 70% around the world.² This can be attributed to the many challenges that spring up during the reintegration process of released offenders. Some of the difficulties include; resettlement, securing employment, stigma and discrimination, admission to educational facilities such as schools, and many others.

¹Farral, S. and Sparks, R. *Introduction to special issues on problems, prospects and possibilities for life after punishment*. Criminology and Criminal Justice (2006).

²UNODC. *Introductory Handbook on the prevention of Recidivism and the Social Reintegration of offenders*. UN Vienna, (2018)

This article will particularly look at stigma and discrimination and how they influence the reintegration process of released offenders.

Reintegration is a process that entails working with offenders when in custody and after their release from prison.³ The process involves their families, victims, and statutory or voluntary networks to reduce recidivism and offer community protection. Reintegration involves activities and programs developed and designed to prepare released offenders to adapt to society as law-abiding citizens.

Stigma and discrimination have had an extensive impact on the lives of released offenders, affecting their social adjustment and progression of crime-free lives. When ex-inmates are released from prison, it is acknowledged that they have paid their dues to society for the crimes they committed. The prison term served, the intensive rehabilitation and treatment programs and the skills and education acquired are all indicators that the offender is reformed and ready for release back to the community. However, even with these interventions, ex-offenders face immense stigma and discrimination from their families, actual and potential employers, colleagues, and the community upon their release from prison. According to Link and Phelan, the taint of being an ex-convict exists way after discharge from prison.⁴ The stigma associated with labelling, stereotyping, status loss, discrimination, and ex-inmate separation from the community can be considered an invisible punishment. Discrimination,⁵ which is a result of stigma, involves unjust or unfair treatment and rejection, which consequently leads the ex-offender to experience isolation and exclusion. Many ex-offenders will resort to negative coping mechanisms such as drug use and re-offending. Reoffending, also known as recidivism, is a major problem for most countries because of possible risks such as overcrowding, prison escapes, inefficient rehabilitation, and the high costs involved both to the government and the community as well.

This paper will therefore look at the effects of stigma and discrimination and probable interventions to minimize them, thus making offender reintegration more effective and leading further to crime prevention and community protection.

³ Ibid

⁴ Link, B.G and Phelan, J.C. *Conceptualizing Stigma*: Annual Review of Sociology. (2001)

⁵ Henderson, T.N. *New frontiers in fair lending*: confronting lending discrimination against ex-offenders. New York University law Review. (2005)

Understanding Stigma

Stigma refers to negative attitudes and beliefs towards a person or a certain group of people, which lead to prejudice and negative actions such as discrimination towards them based on distinguishing characteristics.

Stigma can be viewed as a label on a person or group that amounts to devaluating. Besides, it is associated with unwanted features.⁶ There are two types of stigmas: public stigma and self-stigma. Public stigma is associated with more powerful groups and how they manifest discrimination. For instance, the government or community may discriminate against a labelled group.⁷ Self-stigma, on the other hand, occurs when the minority group internalizes such beliefs against themselves.⁸ This means that the labelled individuals begin changing their behaviour to match the new evaluations of the negative labelling for ex-inmates. This internalization will mean that they will justify their deviant behaviour.⁹ In other words, self-stigma involves internalizing and accepting perceptions of discrimination from other people.

However, ex-offenders are mainly affected by both self-stigma and public stigma. However, self-stigma can have more detrimental effects when they begin to accept and believe the negative labels placed on them by the community. They develop a new persona that is either aggressive or withdrawn and isolated as a coping strategy.

Influence of stigma on reintegration

A study was done by Oruta, E.M on the challenges that face offenders during re-entry back to Kenyan communities stated that an initial barrier for all retuning prisoners is the label “convicted felon”.¹⁰ Immediately after release, an ex-inmate will likely face stigma from the family, which is the first agent of socialization. The family plays a very important role for every individual as a source of social support and identity. Ex-offenders, however, do not get the expected social support from their families. Family members, particularly spouses, have been known to be very apprehensive about a partner’s return to the family. Some have, in some cases, moved out of the matrimonial home,

⁶ Ahmed et al., *Prison, Stigma, Discrimination and Personality as predictors of Criminal Recidivism*: Journal of Social & Development Sciences, vol.6. Bayero University Kano Nigeria. (June 2015)

⁷ Link, B.G and Phelan, J.C. *Conceptualizing Stigma*: Annual Review of Sociology. (2001)

⁸ Corrigan, P.W & Watson A.C. *The paradox of self-stigma and mental illness*. Clinical Psychology; Science and Practice. (2002)

⁹ Winnick, T.A. & Bodkin, M. *Anticipated Stigma Management among those to be labelled “ex-con”*. Deviant Behavior. (2008)

¹⁰ Oruta, E.M. *Challenges that face offenders during Re-entry back to Kenyan Communities*. International Journal of African and Asian studies. 2016

while those who choose to stay begin to display anger, cruelty, and other hostilities towards the released offenders. Some ex-offenders are left to fend for themselves and make ends meet. Others warn children to not interact with them so as not to offend or go to prison like them.

Physical violence has also been meted on released offenders by family members when expectations are not met.

The community has also stigmatized ex-offenders. In a study done by Ahmed et al.¹¹ on six released offenders from Kano State in Nigeria, it was revealed that all of the six were stigmatized by the community through name-calling and perceiving them as dangerous people. One respondent said he was labelled as a bad person, and that stereotype had stuck with him for a very long time.

Hurtful comments from the community and name-calling, to a large extent, affect the self-concept of the ex-offender. The self-concept consists of four tenets, and all are directly impacted by labelling. The first is the *self-image*—the self-image involves the roles, duties, and responsibilities that are ascribed to individuals, for example, husband, wife, farmer, father, and mother, amongst others. When ex-offenders are labelled as bad or dangerous people, their self-image of who they have been or perceive themselves to be is damaged. They give up on becoming a father or mother in order to become a bad person. The second tenet is *body image*. *Body image* is mainly concerned with how the body appears. An ex-offender's body image is likely to change when labelling impacts their physical appearance. For example, the ex-offenders could begin losing weight from the stressful thoughts of name-calling or disregarding their personal hygiene, whereby they have no regard for cleanliness or change of clothes. The third tenet is *self-esteem*; it involves an individual's sense of worth or value. Irrespective of how much the ex-offenders have developed their self-esteem from either rehabilitation programs in prison or values that they have acquired over time, labelling them as ex-convicts, dangerous or bad people will damage their self-esteem. The ex-offender will feel devalued and unappreciated and experience feelings of hopelessness and worthlessness. The last tenet is the *ideal self*; this involves what a person aspires to be in the future. Ex-offenders also have dreams and ambitions of who they want to be or what they want to achieve in the future. However, when they are labelled and stereotyped as ex-offenders, they will likely give up on their dreams and ambitions and view themselves as hopelessly fated.

In most cases, ex-offenders experience difficulty finding gainful employment.

¹¹ Ahmed et al., *Prison, Stigma, Discrimination and Personality as predictors of Criminal Recidivism: Journal of Social & Development Sciences*, vol.6. Bayero University Kano Nigeria. (June 2015)

Most either have to create employment for themselves, thus becoming self-employed, but a majority also remain unemployed or find menial jobs. For those who find any form of employment, it is reported that they still experience stigma at the workplace from both the employer and co-workers. Some employers will label the ex-offender as well as other colleagues. Ex-offenders are sometimes blamed in the workplace for any wrongs they commit, even when it is not their doing.

Other negative events that affect the released offender's reintegration by stigmatizing them include the loss of medical and treatment coverage that they were eligible for while in prison. Upon release from prison, ex-offenders who suffer terminal illnesses and need constant medical care become disadvantaged because a majority cannot afford to pay, given that they have low incomes or no employment at all. This becomes a major stressor and can lead to death.

The Influence of Discrimination on Reintegration

According to Kaiser and Major, discrimination is defined generally as a judgement that a person has gone through one kind of rejection, inequitable or unjust treatment by virtue of being a member of a specific underprivileged social group.¹² Ex-offenders are known to be a disadvantaged social group.

Several researchers in criminal justice studied the predicament of ex-felons as a criminal sentence, regardless of how negligible or however long ago it happened as a mark on someone's life.¹³ However, it is well-known that ex-inmates suffer from civil disabilities as well as prejudices in many aspects, such as private or public employment; voting in elections; admissibility for public aid and public housing, financial help; education; parenting and other family-related issues and rights.¹⁴

Ex-offenders had experienced discrimination from family members even when they were still in prison before their release. This is evident, especially for inmates with serious convictions such as murder, robbery, and sexual assault, amongst others. Such kinds of offences carry hefty prison sentences ranging from the death penalty, life imprisonment, and long sentences. Family members discontinue visits to prison when offenders are convicted. When released from prison, family members discriminate by not involving ex-offenders in family undertakings such as decision-making and celebrations, amongst others. This

¹² Kaiser, C.R. & Major, B. *A social psychological perspective on perceiving and reporting discrimination*. Law and Social Inquiry. (2006)

¹³ Petersilia, J. *When prisoners return to communities; political, economic and social consequences*. New York: Oxford University Press (2003)

¹⁴ Legal Action Center. *After Prison: Roadblocks to Effective Re-entry: A Report on State Legal Barriers facing People with Criminal Records*. New York. (2004)

further alienates the ex-offender. On the flip side, families of ex-offenders are also discriminated against.

The community has also discriminated against ex-offenders by not including them in community activities. Communities deny them opportunities to prove that they are reformed and are ready to pursue crime-free, lawful lives. They are also discriminated against in places of worship, whereby they are viewed as dangerous people in need of redemption and therefore not fit to mingle with the other worshippers. In some communities, ex-offenders are not given a chance to vie for leadership positions and are also not allowed to take part in any voting or electoral processes.

A major concern in Kenya is the difficulty experienced by ex-offenders in acquiring certificates of good conduct, which are issued by the Directorate of Criminal Investigations. These certificates are usually required by most employers, both in the public and private sectors, to show that one does not have a criminal record. Therefore one is eligible for employment. This can be viewed as a discriminatory action since the ex-offender has reformed and has acquired professional skills to enable them to get gainful employment to desist from crime.

Ex-offenders are also denied equal opportunities in workplaces with other employees by employers. They are usually not promoted and are placed in undesirable areas or positions to work.

Effects of Stigma and Discrimination

Stigma and discrimination have had and continue to have serious implications for the newly released offender and the community as a whole. When offenders are released from prison, they are naturally filled with mixed emotions of excitement, optimism, and hope, but at the same time, they also experience fear, anxiety, and doubt. Inmates who have strong social support from their families will reintegrate successfully with minimal challenges. However, those who do not have a strong social support system will encounter several challenges, particularly stigma and discrimination.

One effect of stigma is isolation on the part of the offender. As a way of coping, ex-offenders who face name-calling and stereotyping will choose to isolate themselves from social interactions or engagements with other people. Isolation will lead to loneliness, which can further progress into depression, which is a major mental illness. When ex-offenders isolate themselves, they avoid communication with family and friends. Families of ex-offenders can also suffer isolation when they are set aside by the rest of the community from engaging in communal activities. Some families choose to isolate themselves

of their own volition.

In some cases, ex-offenders who experience stigma and discrimination are known to engage in drug abuse to cope with whatever they are going through. Ex-offenders begin using drugs to numb their painful thoughts and feelings. The continued use of these drugs can lead to another problem of addiction or drug dependency, which becomes a problem for the individual, immediate family, and, by extension, the community. Apart from just drug use, the ex-offender risks engaging in the sale or trafficking of narcotics, especially in instances where one is unemployed. This can lead to eventual arrest and conviction.

Offender recidivism is another effect of stigma and discrimination. When ex-offenders are denied employment opportunities, yet they need to earn a livelihood to live a crime-free life, then the risk of re-offending is almost inevitable. Ex-offenders are equipped with skills from prison that are meant to help them secure jobs and desist from crime. When ex-offenders recidivate, a serious cost implication is placed on the government and the community, which are ideally the taxpayers. A strain is also put on prison administration due to overcrowding and risks of prison escape, as well as the transmission of communicable diseases. National security and community protection are also threatened by recidivism.

The mental health of the recently released offender is also affected by stigma and discrimination. When self-stigma occurs, the ex-offender will begin to believe and accept the negative perceptions of others about themselves. This will lead to them having self-defeating thoughts and doubting their abilities and strengths. When these feelings of hopelessness and doubt are overwhelming to the ex-offender, the possible risks of developing mental illnesses are increased. For example, mood disorders and other health conditions such as hypertension are likely to occur.

Negative behaviours such as aggression are another effect of stigma and discrimination. Whereas other released offenders will shy off and isolate themselves, some will become aggressive, taking out their frustrations on law enforcement, family, and others. Aggression is brought about by accumulated anger that is not dealt with over time.

Theoretical Framework

Labelling Theory

The labelling theory was posited by Howard S. Becker in 1963. The theory asserts that the behaviour of individuals and their self-identity is usually influenced or determined by the names or terms used to describe and classify

them. It further states that labels attached to deviant roles become a form of stigma.¹⁵

When ex-offenders are released from prison, the community places tags or labels on them as either bad or dangerous people. This will negatively impact the ex-offender, causing stigma and leading to discrimination. When they internalize the labels, they consequently act out and adopt deviant behaviour. Once a person is identified as a deviant, it is tremendously hard to remove the label. When ex-offenders are labelled, even if they do not commit any other crimes, they live with the consequences of being strictly viewed as criminals.¹⁶

Interventions to reduce stigma and discrimination

Stigma and discrimination have negatively impacted the reintegration process, causing negative outcomes. However, there are possible interventions that can mitigate stigma and discrimination to facilitate responsive reintegration. They include

Prison visits: It is important to encourage family and friends to visit offenders while they are still in prison. Prison visits are significant since they enhance the family bond and connection regardless of imprisonment. It is therapeutic for the offender as it shows they are still valued and cared for. Family and friends also get to see their loved ones at their lowest moments. This inspires them to be strong social support for them when they are released.

Reconciliation: Reconciliation between the offender and the victim is critical as a way of reducing discrimination and stigma once the offender is released from prison. Reconciliation can be carried out in prison and facilitated by a counsellor. Reconciliation is important to the offender because they get to own up to their actions and sincerely show remorse for them, seeking forgiveness from the victim. It is also equally important to the victim since it gives them a chance to face or confront the offender, ask possible questions, and thus find closure, so they are able to move on with their lives without harbouring hatred and bitterness. If no animosity exists between the offender and victim, the offender will reintegrate smoothly back into the community without having feelings of guilt, and also, stigma and discrimination will be minimal.

Before an offender is released from prison, it is important for the prison authorities to liaise with the probation officer, local administration, and community leaders to inform them that the offender is about to be released. They will then embark on carrying out a home visit to prepare the family and the community. Local leaders and influencers are then tasked with creating

¹⁵ <https://en.m.wikipedia.org>

¹⁶ <https://www.thoughtco.com>

awareness in the community on the importance of embracing released offenders since they have made amends for their crimes, and all they need is support to start a crime-free life. This information should be given in churches, local Barrazas, and any other social congregations in the community. The community is sensitized against stigmatizing and discriminating against released offenders but rather embraces and supports them.

Restorative Justice: Restorative justice views crime as more than just a violation of the law; it also causes harm to people, relationships, and communities. Therefore, a just response will need to address the wrongdoing and harm caused. Restorative justice is applied before the offender is committed to prison, allowing them an opportunity to meet with the victim, acknowledge their wrongdoing, and seek reparation with the victim. Restorative justice is now practised even with offenders already in prison. Focusing not only on the punishment of the offender but on repairing the harm caused. When harm is repaired, and the victim and offender reconcile, then reintegration of the offender will be successful without stigma and discrimination from the victim and community.

Conclusion

The journal aims to assess the influence of stigma and discrimination on the reintegration of offenders. It was established that stigma and discrimination have negatively affected the ex-offenders and, to an extent, their families. Ex-offenders experience stigma from their family, community, and employers. When ex-offenders are labelled as bad or dangerous people, they find it difficult to engage in community activities and, more so, to find employment. Some have suffered physical violence and low self-esteem. Discrimination has also negatively impacted the ex-offenders, with many experiencing unfair or unjust treatment. They are not given equal opportunities in the workplace. They are also not given opportunities to take up leadership roles in the community. Other effects of stigma and discrimination include negatively impacting the mental health of offenders, triggering mood disorders and health conditions such as hypertension. Others include recidivism, drug abuse and isolation. The labelling theory discourages the use of labels and stereotypes since they make ex-offenders internalize the negative perceptions and beliefs, hence pushing them to engage in deviant behaviour that is likely to lead to recidivism. In order to ensure successful reintegration, interventions such as reconciliation, restorative justice, creating awareness and encouraging prison visits are very important. If stigma and discrimination could be eliminated, it would benefit not only the ex-offender but also influence national security by improving

community protection and public safety and enhancing crime prevention.

E-WASTE: A MENACE OR A SOURCE OF INCOME

Maj (Rtd) Bernard M Masinde - Parliament Of Kenya

Abstract

Electronic gadgets have increased with the advancement of technology. This is because technology and innovation are advancing faster than the world can absorb and consume, thus leaving substantial unwanted electronic gadgets scattered all over. Unwanted, obsolete electronic devices are referred to as e-waste. Where do the obsolete ones go? Is there no sufficient market for the recycling or replacing these obsolete gadgets? Pollution of the environment due to obsolete electronic waste is a major source of concern in Kenya.

Keywords: *innovation, pollution, recycling, waste, obsolete.*

Introduction

The rising electrical and electronic waste in our households is a major impact of globalization and the 4th industrial revolution. Human beings have increased their dependence and reliance on electrical and electronic gadgets, and this hunger has led to more technological advancements that have increased the production of these gadgets. **But where do the obsolete ones go?**

Electrical and electronic waste (e-waste) is simply all unwanted, unserviceable, used, or discarded electrical or electronic devices that are no longer useful to the owner.¹ Some of these obsolete devices can be salvaged through recycling and, if possible, disposal.²

On average, every household has at least one electrical or electronic gadget. These gadgets include computers, laptops, tablets, microwaves, mobile phones, printers, chargers, monitors, televisions, video display units, fax machines, etcetera. You *name it, and the list is endless*. It is estimated that Nairobi, the capital city of Kenya, generates approximately 2,500 tonnes of solid waste per day.

According to the Kenya National Bureau of Statistics (KNBS) household survey, approximately 20 million people own an electronic gadget in their house.³ With the current advancements in technology, these gadgets become

¹ Ray Hutchison, 'Metropolitan Region', *Encyclopedia of Urban Studies*, 7.2 (2012), 89–103 <<https://doi.org/10.4135/9781412971973.n185>>.

² Hutchison.

³ Hutchison.

obsolete in a year, thus forming the basis for increased electrical and electronic waste.⁴ These obsolete gadgets cannot be used as the manufacturing companies have stopped producing software updates or hardware parts for maintaining these gadgets. These companies develop new gadgets at an unfathomable speed, leaving the populace with obsolete gadgets.

The seriousness of the electronic waste menace is down to three key realities: the exponential increase of electronic waste in total amount, environmental degradation, and health complications.⁵ A call for sustainable e-waste management is no longer a utopian ambition but an absolute necessity.⁶

Theoretical framework

This article adopted and used the **sustainability theory** since it endeavours to integrate social, environmental, and economic responses to achieve a long-lasting and sustainable solution to the e-waste management challenges.

Challenges with e-waste

The main challenge of e-waste is how best to dispose of used and unwanted electrical and electronic gadgets. The other challenge is the overreliance on imported technology that has led to the dumping of obsolete gadgets on the pretext of donor aid.

This article will dwell more on the main challenges and solutions as observed in Kenya.

The reason why e-waste is a problem is that when dumped on the ground or buried in the ground, it will decompose and produce toxins that are dangerous to our environment. These dangerous toxins include but are not limited to lead, mercury, cadmium, and beryllium. These toxins are washed away into the sea and the underground water table when it rains. Eventually, these harmful toxins find their way into our drinking water, posing serious health concerns to humankind and wildlife. The e-waste cycle is a dangerous paradox that requires proper and effective ways of intervention to exterminate the menace as it evolves into a major health crisis. The International Labour Organization noted that *“Today, most e-waste is being discarded in the general waste stream. Of the e-waste in developed countries that is sent for recycling, 80*

⁴United Nations, *World Food and Agriculture - Statistical Pocketbook 2018, World Food and Agriculture - Statistical Pocketbook 2018*, 2019 <<https://doi.org/10.4060/ca1796en>>.

⁵ Mohammad Izzat Rasnan and others, ‘Sustainable E-Waste Management in Asia’; *Source: Journal of Environmental Assessment Policy and Management*, 18.4 (2016), 1–23 <<https://doi.org/10.2307/90000089>>.

⁶Izzat Rasnan and others.

per cent ends up being shipped (often illegally) to developing countries such as China, India, Ghana and Nigeria for recycling. Within the informal economy of such countries, it is recycled for its many valuable materials by recyclers using rudimentary techniques. This globalization of e-waste has adverse environmental and health implications. Furthermore, developing countries are shouldering a disproportionate burden of a global problem without having the technology to deal with it. ⁷

Pollution of air and water by e-waste

In developing countries, water is a scarce and precious commodity for the populace's survival and livestock. Several households depend on water from boreholes, wells, rivers, lakes, and the sea. Water researchers have shown that water sources have a steady increase in harmful toxins that are not for human consumption.⁸

In developed countries, electronic waste from nuclear facilities has increased the onslaught on the degradation of the environment. These major manufacturing companies emit toxins that immensely destroy the ozone layer and have also contributed to airborne diseases for people.⁹

Solutions to e-waste challenges

While electronic waste is a menace to society if not well disposed of, it is also a source of income for people in business.

In Kenya, the National Environmental Management Authority (NEMA) has developed regulations that manage and control the disposal and recycling of electronic waste. These regulations, if implemented, will go a long way toward charting the way forward for the country's environmental and e-waste challenges. One of these regulations deals with the recycling and refurbishing companies in Kenya. It is also important to involve the key stakeholders in the planning and execution phases to sustain the e-waste management cycle.¹⁰

These recyclers will reduce the negative impact of obsolete electronic waste by encouraging the populace to sell or dispose of their electronic waste at a fee. The recycled products can then be used to safeguard the environment. These licensed recyclers are mandated to receive and dismantle all-electric and electronic waste. The dismantled e-waste is broken down into hazardous and non-hazardous components and disposed of environmentally friendly. The

⁷ ILO, *The Global Impact of E-Waste: Addressing the Challenge*, International Labour Office, 2012.

⁸ Hutchison.

⁹ Hutchison.

¹⁰ Izzat Rasnan and others.

e-waste that cannot be recycled is packaged for export.

The second solution is to enhance science, technology, and innovation in the country to produce home-grown technology that will reduce imported electrical and electronic products. This will also enhance the “**Buy Kenya, Build Kenya**” initiative. The local innovations will significantly reduce the amount of e-waste dumped into the county under the pretext of donor funding.

The government should enhance the creation of an E-waste facility that encourages the collection of electronic waste materials from the population.¹¹ An example is the e-waste facility created in Rwanda in 2017.¹² Finally, the populace has a role to play that includes embracing safe methods of disposal of e-waste from their surroundings.

Conclusion

E-waste management requires a holistic and integrated approach involving a multi-agency government approach with the private sector’s involvement. The challenges that include dumping penalties should be waived to encourage the large polluters to surrender e-waste for proper, sustainable disposal willingly. The International Labour Organization has laid down strategies for the effective disposal and recycling of e-waste, and states are encouraged to benchmark with them. The local regulatory authority in Kenya is NEMA, and it should also increase surveillance on e-waste management and disposal. The government agency should also partner with the media houses to ensure the populace is educated on the safe disposal of e-waste. Regulations and laws on e-waste management are important. However, regulations without enforcement, sensitization, and implementation will not sustain the e-waste menace.¹³

While every household continues to pile and dispose of electrical and electronic waste in all sorts of ways, there is a need for an all-inclusive solution to the illegal and dangerous dumping and piling of e-waste. The clock is ticking, and the e-waste bomb is waiting to explode in Africa.

¹¹ Hutchison.

¹² Tiffany Schneegans, Susan, Lewis, Jake, Straza, *UNESCO SCIENCE REPORT 2020*.

¹³ Izzat Rasnan and others.

EVALUATION OF KENYA'S LEGAL FRAMEWORK ON MONEY LAUNDERING

Mr Vincent S. Monda, OGW - Office of the Director of Public Prosecutions

Abstract

This article will discuss the role of international law in addressing money laundering. The article will assess the current legislative framework in Kenya for combating crimes relating to proceeds of crime and money laundering. Furthermore, the impact and contribution of the legislative framework on national security and economic development remain unclear. Thereafter, this article will assess the legal framework for international cooperation and multi-agency mechanisms in Kenya in combating the proceeds of crime and money laundering.

The specific objective to be examined is whether the current legal mechanism in place sufficiently addresses the issue of money laundering, which threatens the national interest and security of Kenya.

The article identifies the gaps in the current legal framework of the Proceeds of Crime and Anti-Money Laundering Act.

The article will be anchored on the realist theory of law.

In addition, the article will also discuss the challenges and, thereafter, make conclusions and propose recommendations.

“Key Definition of Terms”

DPP - Director Of Public Prosecutions.

EACC - Ethics and Anti-Corruption Commission.

ODPP - Office Of The Director Of Public Prosecutions

POCMLA - Crime Proceeds And The Act Against Money Laundering

TOC - Stands For Transnational Organized Crimes.

UNTOC - The United Nations Convention On Transnational Organized Crime.

Introduction

The offence of money laundering is created in sections 3, 4, and 7 of the Proceeds of Crime and Anti-money Laundering Act.¹ The provisions set out the elements of the offence, which encompass proceeds of crime and financial

¹Proceeds of Crime and Anti-money Laundering Act No 9 of 2009.

promotion of an offence. Therefore, the definition of money laundering is not limited to immovable property but also movable property, which includes money instruments and stealing.

It is estimated that money laundering constitutes 2–5% of gross domestic product.² This poses a significant risk to the socio-economic and political stability of the country. It distorts the financial system by introducing large amounts of money whose sources are dubious. This can lead to an escalation of prices of goods and services that the ordinary person is unable to afford. This will, in turn, increase the cost of living. Policymakers have to devise strategies such as following the money approach, confiscation, and asset forfeiture to tackle these crimes. Criminals find a safer home for their crimes in a financial institution in a country other than the one where they have been committed.³

Kenya is amongst the top foreign direct investment destinations in sub-Saharan Africa. It has negatively impacted and escalated the cost of business. The property market has been driving the prices upwards, making it impossible for the average person to afford decent housing. This, coupled with money laundering, will deter future foreign investors.

Therefore, the introduction of the Proceeds of Crime and Anti-money Laundering Act was timely and aimed at curbing illicit financial flows that were finding their way into the financial system, which were linked to offences such as piracy, and drug trafficking and terrorism. Following the enactment of this legislation, stringent measures have been put in place by financial institutions under the supervision of the Central Bank of Kenya. In addition, the introduction of the new currency was a strategy aimed at ensuring that “dirty money” was removed from circulation.

International Law

Kenya is a member state of the United Nations and has signed onto the United Nations Convention on Transnational Organized Crimes.

The provisions of the UNTOC are fortified by the provisions of “Article 2(5) (6) of the Constitution of Kenya.”⁴ The interpretation of this provision makes it clear “that any treaty ratified by Kenya shall be part of the law of Kenya”. This is also amplified by the provisions of the sixth schedule, section 7. Therefore, applying the theory of consent and the dualism approach, Kenya has fulfilled its international obligations. This is premised on the fact that before the

² The United Nations Office on Drugs and Crimes estimates that around \$1.6 trillion or 2.7 per cent of global GDP was laundered in 2009 (UNODC 2011).

³ Money laundering and the role of Banks Anwar Jamal Kidwai pp46.

⁴ Constitution of Kenya. Theory of International law

enactment of the new Constitution (2010), the ratification of treaties was done through the enactment of specific legislation to operationalize them.

Therefore, the convention is binding and places a legal obligation on Kenya to ensure that it discharges the responsibilities and adheres to the provisions thereto. In addition, it is clear that the treaty was ratified without any reservations.

The Economy and National Interests

Kenya is the largest economy in Eastern Africa and attracts high levels of direct foreign investment, especially in the information and communication technology sectors. The issue of corruption continues to impede economic prosperity and, coupled with a weak financial system, affords avenues for crimes such as money laundering to thrive. Subsequently, they undermine various sectors of society, thereby inhibiting economic growth.

Money laundering has grave consequences for national security and the economy. The National Security Council document titled “transnational security by the Obama administration emphasized that transnational organized crime (TOC) poses a significant and growing threat to security with direct consequences for public safety, public health, democratic institutions, and economic stability across the globe.⁵ According to the World Bank, approximately \$1 million is spent each year on bribing public officials, resulting in a variety of economic distortions and harm to legitimate economic interests.⁶

Kenya has one of the most sophisticated financial infrastructures in Africa. It is one of the most attractive destinations. Therefore, money launderers would seek to take advantage. Kenya should continue to strengthen the financial system so that criminals do not exploit it. The consequences of money laundering can be very devastating and stifle economic growth. The Central Bank of Kenya should, as the financial regulator, enhance the supervision of the banks and ensure compliance with international standards.

The Legal Framework in Kenya

Kenya enacted POCMLA No. 9 of 2009, and it came into operation on June 28, 2010.

The Act domesticated the provisions of the UNTOC. This is an important piece of legislation that deals with the investigation, recovery, and confiscation of proceeds of crime that have been used for money laundering. The Act has

⁵ <http://Obamawhitehouse.archives.gov/eop/nsc/transnationalcrimethreatvisitedon18thAugust2021>.

⁶ *Ibid*.

provided for the Asset Recovery Agency, which is headed by the Agency Director appointed by the Attorney-General, whose duties include tracing, confiscating, freezing, and recovering assets procured through proceeds of crime.

The Act establishes the Financial Report Centre, which is headed by the Director-General, who is recommended for appointment by the Board with the approval of the National Assembly. The functions include receiving reports of suspicious transactions and terrorism financing, amongst others.

The Act also created the Anti-Money Laundering Advisory Board, which has since been operationalized and is headed by the chairperson. It is comprised of 11 (eleven) members. The Director-General is the secretary, and it plays a major role in the formulation of policy and providing advice to the Financial Reporting Centre.

Therefore, I opine that Kenya has a robust legal framework to deal with money laundering and related crimes.

Multi-Agency Co-Operation

The provisions of section 55 of the Act impose a duty on the prosecution and investigation agencies to co-operate with the Agency.⁷ The provision has brought to the fore the need for collaboration and cooperation amongst the various agencies. This collaboration has in recent times borne fruit and led to various individuals' legal entities and banks being arraigned in court on money laundering charges. Furthermore, several banks have entered into deferred plea agreements with banks that have flouted money-laundering provisions. For example, Standard Chartered Bank and Diamond Trust Bank.

However, formal procedures must be in place to guide the cooperative process. I must emphasize that collaboration and cooperation at the moment are on an Adhoc basis with no proper structures. The Asset Recovery Agency should develop policies and guidelines on how to co-operate with investigation and prosecution agencies.⁸

Similarly, the Financial Reporting Centre is mandated to engage any organization, whether in Kenya or outside, in initiatives aimed at promoting its objectives. Therefore, the Act provides for inter-agency cooperation and collaboration.

The Director of the Asset Recovery Agency should liaise with the ODPP and utilize the model of the prosecution to guide investigations. In this context, officers of the Agency work closely with the prosecutors in building cases for

⁷ Proceeds of Crime and Money Laundering Act No 9 of 2009.

⁸ Criminal case no.6 of 2019 Republic versus Mohammed Swazuri & 16 Others

prosecution and the recovery of assets. This will be a change in the approach to prosecution and recovery of assets. In addition, the DPP, in liaison with the Director Asset Recovery Agency, should post a resident prosecutor.

In addition, the Director of the Asset Recovery Agency should liaise with the Chief Executive Officer of Ethics and Anti-corruption Commission so that investigations officers with expertise in asset recovery can be seconded to the Agency.

International Co-Operation

Pursuant to part XII of the Act, it provides for assistance in investigations and proceedings and provides for principles of mutuality and reciprocity.⁹

This is an aspect that ensures that there is international cooperation and assistance in tackling money laundering crimes. In addition, the sixth schedule of the Act has made money laundering and extradition offence.¹⁰ In addition, the Financial Report Centre is mandated to engage any organization outside as long as it promotes its objectives. Therefore, this is a firm foundation for international cooperation and assistance.

Kenya is a signatory to the Eastern and Southern Anti-Money Laundering Group, an initiative to combat money laundering and related crimes that includes 18 countries from the East and South of Africa. The member countries, through multi-lateral agreements, have set up a mechanism for collaboration and cooperation.

Kenya is a signatory to the Financial Action Task Force. This is a governmental body which sets out international standards to prevent money laundering and terrorism financing. It comprises more than 200 countries committed to implementing legislative and regulatory measures to combat organized crime. In addition, it coordinates a global response. Furthermore, it also monitors countries' adherence to the set standards and holds countries to account for their non-compliance.

Challenges

In the implementation of the Act, it is important that a Financial Intelligence Unit be set up. This is important so that the country can benefit from information sharing and the assistance of other states in effectively handling money laundering related crimes.

The Egmont Group Financial Intelligence Unit was founded in 1995

⁹ Proceeds of Crime and Anti-money Laundering Act No.9 of 2009

¹⁰ *ibid*

with its headquarters in Toronto, Canada. This group is made up of various financial intelligence units of the respective member countries. These financial investigation units share intelligence, which is a critical component in the fight against money laundering and terrorism financing through information sharing.¹¹ This can provide a very powerful tool in helping to combat money laundering related crimes.

In addition, the Office of the Agency Director of Asset Recovery is under the Office of the Attorney General and Department of Justice. It should be noted that the Act was operationalized when the Attorney-General was the one in charge of public prosecutions.

Following the appointment of the Director of Public Prosecutions under Article 157 of the Constitution¹², it is imperative that the Agency Director of Asset Recovery should be appointed by the DPP. It is premised on the Act that money laundering is a crime which falls squarely within the purview of criminal proceedings, and as such, it is, in my view, untenable for the Agency Director of the Asset Recovery Agency to be placed in the Office of the Attorney General. Therefore, the placement of the Office of the Director of the Asset Recovery Asset in the Office of the DPP will strengthen the Asset Recovery Unit and ensure that there are efficient and effective prosecutions as well as coordination of the recovery of assets obtained through money-laundering.

In addition, the DPP should not be a member of the Money-laundering Advisory Board, yet the Office plays a pivotal role in so far as prosecuting criminal cases related to money-laundering is concerned. The ODPP is a crucial player in the criminal justice system.

Conclusion

In conclusion, in order to strengthen the legal framework and enhance the mechanism currently in place, I propose that the provisions of section 2 of the Act in the interpretation section specifically name the investigations and prosecution agencies.

Section 53(2) of POCMLA should be reviewed and amended so that the Agency Director of the Asset Recovery Agency is appointed by the DPP. Further, it will assist in the recruitment of staff through the Advisory Board of the Office of Director of Public Prosecutions.

In addition, section 54A (2) (b) should be amended so that the percentage is fixed at 10%.

Further, section 48 of the Act should be amended to include advocates as

¹¹ <http://www.egmontgroup.org/en/content/membership> visited on 18th August 2021.

¹² Constitution of Kenya 2010

they receive large sums of money and transact on behalf of their clients. The provisions of 137 of the Evidence Act, CAP 80, Laws of Kenya.¹³

The DPP should be included in the membership of the Anti-Money Laundering Advisory Board. The Office is vital to the enforcement of the Act and, as such, it will enhance the activities of the Board.

In addition, the financial intelligence unit should be set up immediately under this Act, and the Cabinet Secretary should appoint members similar to those designated to the anti-money laundering advisory board. Thereafter, Kenya can seek membership in the Egmont Group and benefit immensely from intelligence and information sharing as well as cooperation in the fight against money laundering related crimes. This will also comply with and enhance the capability of the Financial Reporting Centre. This hybrid model is most appropriate and applicable in the context of Kenya as per the provisions of section 24 of the Act.

In addition, the government of Kenya should engage the governments of Somalia, South Sudan, and Burundi, who are members of the East Africa Community, to join the Eastern and Southern Anti-Money Laundering Group. This will facilitate and consolidate efforts in dealing with money laundering in the region. Furthermore, it will strengthen the mechanism's ability to address and strengthen financial system weaknesses, as well as share information.

The Asset Recovery Agency, in conjunction with the Office of the DPP and Inspector-General, should immediately develop and publish standard operating procedures to guide the cooperation framework with the investigating and prosecution agencies, respectively.

The Central Bank of Kenya should introduce annual awards and bulletins for the best financial sector institutions based on a scorecard point system in Kenya, which will include enforcement of money laundering policies and guidelines, among others.

In addition, as part of its supervisory functions, the Central will introduce a money-laundering levy for every licensed financial institution to support the activities of the Financial Reporting Centre and the Asset Recovery Agency.

The Director Asset Recovery Agency should conduct quarterly online joint training in conjunction with the Prosecutions Training Institute, Directorate of Criminal Investigations Academy, and the Judiciary Training Institute to build capacity.

The Asset Recovery Agency and the Financial Reporting Centre should develop an integrated management system in conjunction with the Ministry of Information Technology, Youth Affairs and Innovation to share information

¹³ Evidence Act CAP 80 Laws of Kenya

and intelligence with prosecution and investigation agencies.

The Director of Asset Recovery Agency should liaise with the Chief Executive Officer Ethics and Anti-Commission and request the secondment of two officers.

The Director of Public Prosecutions, in liaison with the Director of Asset Recovery Agency, should second at least two prosecutors on a full-time basis to the Asset Recovery Agency.

These proposed measures will not only strengthen the legal framework but will provide for effective and efficient mechanisms in combating money laundering and spur economic growth by enhancing confidence in the banking industry in Kenya in line with international standards.

ILLICIT BREWS IN KENYA: WHICH WAY: ERADICATION OR REDUCTION?

Mr. Moses Gicharu - Ministry of Interior and Coordination of
National Government

Abstract

Alcohol consumption in Kenya dates back to the pre-colonial period and beyond. In almost all African communities, different alcoholic drinks are produced and consumed at different times and for specific occasions. These would include things like weddings, circumcisions, and other religious and cultural functions, including celebrating peace deals. In all these, consumption was well regulated, and therefore it did not pose any serious threat to society. However, in recent decades and with the commercialization of the production and sale of illicit brews, serious negative effects, including loss of lives, have been experienced. The various regulatory efforts, including legislation, institutional frameworks, and enforcement, do not appear to have succeeded in containing the threat. Security agencies have, on a daily basis, arrested hundreds of brewers and consumers, but this has not served as a deterrent. If we continue doing the same thing over and over again, we shouldn't expect different results. It is incumbent on all of us to get back to the drawing board, do some soul-searching, and ask ourselves some difficult questions. The question begs: Should we continue with the same eradication approaches, or should we engage in a reduction and management approach?

Background

August 10th 2021, will remain a sad day for the residents of Kabatini village in the Bahati constituency of Nakuru County. The dark memories of their kin who perished after consuming adulterated alcohol in Bahati, Nakuru County, will never be erased. At a time when we thought the ghosts of illicit brews had vanished, it reminded all of us Kenyans that we were not out of the woods yet.

For decades, alcohol has been used for different purposes by different communities, including as part of food, medication, mood enhancers, and mostly as an intoxicant. It was also used for cultural and religious ceremonies. Today, a good number of religious organizations use wine for memorial sacraments, while some community surgeons use it for anaesthetic purposes. In most African communities, alcohol forms a significant element during

peace deals as well as cultural ceremonies like weddings and circumcisions.¹ There was a cultural pattern of drinking alcohol around major ceremonies and events in Sub-Saharan Africa.² Almost every community in Kenya has its own traditional alcoholic beverage. Among these are the distilled spirits (changaa), miti ni Dawa, muratina, busaa, mnazi, and makabo. However, in all these traditional societies, drinking was closely regulated. In most societies, drinking is exclusively reserved for the elderly. Young men, women, and children were not allowed to consume alcohol. However, things have changed: once-valued abstinence among women and men has declined dramatically³. The youth were discouraged from engaging in drinking since, traditionally, it was viewed as a threat to the existing social structures, which gave utmost respect to the elders.⁴ Each community, depending on the occasion, had strict regulations, especially based on inter-generational communal values regulating their consumption. This, therefore, confirms that efforts to regulate alcohol abuse existed in the pre-colonial period in Kenya. Illicit brews in Kenya have been a problem for several decades, especially with the occurrences of death episodes blamed on the consumption of chang'aa. It continues to be a subject of government and the general population's outcry due to its adverse effects. Although it is known that the traditionally brewed spirit is sometimes adulterated and leads to methanol poisoning, the same has not been a good enough deterrent.⁵

It has been observed that even where these traditional brews existed, there were communal ways that regulated their consumption, thereby keeping their harmful effects at bay. However, with the commercialization of the production and sale of illicit brews, serious negative effects have been experienced. This is further aggravated by the greed to make quick money, leading to the production of unhygienic and extremely dangerous liquor, in some cases laced with methanol. Over the years, efforts have been made to deal with the menace, but with little success. The Alcoholic Drinks Control Act, 2010 was enacted to provide a framework for the control and regulation of the manufacturing, sale,

¹Eddah Heather Kipchumba, "Curbing Illicit Brews in Kenya," *International Journal of Law, Humanities and Social Science* 1, no. 2 (June 2017).

²Ibid.

³Jeniffer Birech, Joseph Kabiru, Josephine Misaro, David K. Kariuki, "Alcohol Abuse and the Family: A Case Study of the Nandi Community of Kenya," *International Journal of Humanities and Social Sciences* 3, no. 15 (August 2013).

⁴Eddah Heather Kipchumba, "Curbing Illicit Brews in Kenya," *International Journal of Law, Humanities and Social Science* 1, no. 2 (June 2017).

⁵Heather Eddah Kipchumba, "Illicit Brews in Kenya: A Case of Chang'aa," *Journal of Africa Interdisciplinary Studies* 2, no. 7 (July 2018).

and consumption of alcoholic drinks in Kenya.⁶ Furthermore, the National Campaign Against Drug Abuse Authority (NACADAA) was established to coordinate various efforts to address the matter. It's significant to note that the Act tried to address the licensing regime and the harmonization of the definition of alcoholic drinks. It also created a lifeline for producers of all types of alcoholic drinks with the possibility of licensing. The biggest challenge here is conforming to the stringent requirements with regard to quality and standards, which the ordinary small-scale producer would find very difficult to meet. This would also make the process long and expensive, making it very difficult for small-scale manufacturers to break even. As a result, we've remained in the same black-market cycle that the Act was supposed to address.

The problem of illicit brews in Kenya can be associated with issues of poverty, which is a social issue which can be explained using the Cyclical Interdependency theory as postulated by Gunnar Myrdal.⁷ The gist of the theory is that individuals lack the resources to be part of the economy, thus making it harder for the economy in question to survive. The cumulative spiral of problems closes any opportunities and creates a set of problems that make any effective response nearly impossible, which is the situation that illicit brewers and consumers find themselves in.

Statement of the problem

In Kenya, alcohol is known to be the most commonly abused substance, leading to alcoholism and posing great harm to Kenyans. Alcoholism can be defined as a chronic sickness characterized by excessive drinking of alcohol to a level that interferes with both physical and mental health or with one's normal social and occupational functioning⁸ of this is clear from the numerous calamities related to excessive consumption of adulterated illicit liquor. Among the various types of alcoholic drinks, illicit liquor is the most easily accessible of them, followed by wines, spirits, and other second-generation alcohol.⁹ For all these brews, it's not possible to ascertain the quality and also level of potency. It is clear that illicit brew drinking has caused serious health effects on the consumers as those engaged in their brewing for commercial reasons strive to make them

⁶ Muregi, Evelyn Joyce Waringa. "Combating illicit brews in Kenya: an analysis of the legal and institutional framework." PhD diss., Strathmore University, 2017.

⁷ Danaan, Victoria Voelwoen. "Analysing poverty in Nigeria through theoretical lenses." *Journal of Sustainable development* 11, no. 1 (2018): 20-31.

⁸ Jeniffer Birech, Joseph Kabiru, Josephine Misaro, David K. Kariuki, "Alcohol Abuse and the Family: A Case Study of the Nandi Community of Kenya," *International Journal of Humanities and Social Sciences* 3, no. 15 (August 2013).

⁹ Ibid.

more potent by adding poisonous adulterants to appeal to the drinkers.¹⁰ Some of these brews are laced with methanol, making them highly poisonous. Others are laced with dangerous chemicals, among them formaldehyde, aiming to reduce their brewing time and increase the strength and potency of the liquor. Chang'aa is added to chang'aa in order to enhance its potency and shorten its production period, while other brewers adulterate the brew with additives such as faecal matter, decomposing animal bodies, fertilizers, and embalming fluid.¹¹

The task of dealing with the illicit brew menace lies squarely on the shoulders of the National Government Administrative Officers (NGAOs) together with the National Police officers. Most efforts have been directed toward raids on brewing and drinking establishments, the arrest of brewers and consumers, and the destruction of brewing equipment. It has been a back and forth oscillation that has not resolved the matter amicably. In these enforcement raids, it has not been a walk in the park; officers have been hurt, and lives have been lost, both NGAOs and police. All these approaches have been one-directional in pursuit of eradicating illicit brews. However, the reality on the ground is that we make several steps forward only to relapse shortly thereafter in equal measure. This, therefore, begs the question; which way, eradication or reduction?

Impact on society

As indicated earlier above, these brews are produced in very unhygienic environments, thereby posing serious health hazards to the consumers. In May 2014, more than sixty people were reported to have died in Kenya after drinking homemade alcohol believed to have been laced with industrial chemicals. Dozens of others lost their eyes after drinking the illicit brew that may have contained methanol - a toxic substance used to boost the strength of the drink. In a related incident in 2005, more than 45 people died after drinking illegal alcohol laced with methanol.¹² In the year 2000, one hundred and forty people lost their lives due to the consumption of methanol-laced chang'aa in two slums in Nairobi City; Mukuru Kayaba and Mukuru Kwa Njenga. Hundreds of others were admitted to hospitals, while others lost their eyes.

¹⁰ Masinde, John W. "Effects of illicit brew drinking and intervention measures on unemployed youth in Bungoma County, Kenya." PhD diss., University of Nairobi, 2014.

¹¹ Heather Eddah Kipchumba, "Illicit Brews in Kenya: A Case of Chang'aa," *Journal of Africa Interdisciplinary Studies* 2, no. 7 (July 2018).

¹² <https://www.bbc.com/news/world-africa-27301515>

In the year 2001, fifty people died after consuming methanol laced chang'aa in Kiandutu, Thika.¹³

If it's not death, it's blindness and other permanent health issues. In addition, the brewing, sale, and consumption of these illicit brews come with far-reaching negative implications for society at large. A huge population of youths has been turned into irresponsible and unproductive zombies. It has been observed that a good number cannot engage in any meaningful economic activity, let alone raising and sustaining a family. The menace has caused untold suffering to families who have to make do with family breakdowns, gender-based violence, suicides, and assaults. The little income is depleted by bailing out those arrested. In extreme cases, deaths associated with consumption of the brews have been reported. These incidents have serious implications for families, in particular, and the nation in general. We are slowly but surely losing a generation, which ultimately threatens our future well-being and survival as a country.

Eradication or Reduction?

On a typical day, thousands of litres of illicit brews are confiscated and destroyed all over the republic. Hundreds of brewers, distributors, and consumers are apprehended daily and arraigned in courts with resultant penalties, including fines, community service orders, and custodial sentences. What is interesting is that when these same culprits are through with their sentences, they go back to the same business. Statistics have shown that very few are transformed. The resources put into these eradication efforts are not commensurate with the gains being made. Corruption has been alleged to play a critical role in sustaining the menace. Blame games and finger-pointing are the order of the day between members of the public, administrators, and police. There has also been the influence of politics in this fight. We have had instances of politicians interfering with the work of enforcement agencies while supporting the culprits whom they consider their voters. The devolution of liquor licensing to the county governments hasn't helped. While most of them see it as the easiest source of revenue, a good number are yet to formulate legislation to regulate and control it. To confirm the seriousness of the matter, on July 1st, 2015, H.E. President Uhuru Kenyatta ordered the revocation of licenses for bars and other businesses selling illicit drinks, describing the sale of toxic and deadly liquor in the country as "the business of death", which must be stopped by all means. "These brews have become a serious problem in our backyard where families have been crippled, including our children and many youthful

¹³ Heather Eddah Kipchumba, "Illicit Brews in Kenya: A Case of Chang'aa," *Journal of Africa Interdisciplinary Studies* 2, no. 7 (July 2018).

workers. Our people are dying daily", he said.¹⁴

Recommendations

There is an urgent need to conduct objective and comprehensive research on this matter to identify the existing gaps between the efforts made and the realization of a lasting and sustainable solution. Enhanced collaboration between NACADAA and county governments in establishing rehabilitation centres in all the counties to help those already addicted. Formulation of strategies and policies to address the availability and ease of access of raw materials used in brewing. It may also be necessary to review the legal and tax regime to address the issue of high excise duty on legal alcoholic drinks and make illicit drinks less attractive. Increased investment in initiatives that create employment for youth, including opportunities for self-employment. In addition, initiatives geared towards inculcating values in our younger generation as well as attitude change. Finally, beyond illicit alcohol, there is a need to relook the whole issue of excessive alcoholism in the country since it poses grave consequences for the future of the country.

Conclusion

It is very clear that all the efforts towards eradication of these illicit brews have not borne significant fruits. Every year, the security agencies have as one of their performance targets the eradication of the brewing, sale, and consumption of these brews. If we continue doing the same thing over and over again, we shouldn't expect different results. It's incumbent upon all of us to get back to the drawing board, do some soul searching, and ask ourselves some difficult questions. Are these eradication efforts sustainable? How many lives do we have to lose for us to retreat and think together? Should we continue with the same eradication approach or reduction and management? What are the roles of other agencies and stakeholders in this fight?

¹⁴ <https://www.president.go.ke/2015/07/01/>. Accessed 20th August 2021

GENDER-BASED VIOLENCE IN KENYA

Ms. Jasmine Musembi - Ministry of Interior and Coordination
of National Government

Abstract

Violations against women and girls are an issue of rising concern globally, earning the name “the silent pandemic.” This article seeks to examine the status of gender-based violence (GBV) in Kenya and efforts by the government to curb the same. It contends that, while significant progress has been made in establishing the legal framework and necessary policies, more needs to be done to educate the community about what they can do to seek help and provide safety for all members of the community. A whole-of-government approach is proffered as a strategy that can yield positive results in the fight against GBV.

Background

Gender-based violence (GBV) refers to acts that are harmful and directed at someone based on their gender. This includes acts that lead or are likely to lead to physical, sexual, or psychological harm, such as threats, coercion, deprivation of liberty, or threats of such acts.¹ According to the World Health Organization, this silent Pandemic affects 1 in 3 women during their lifetime.² In Kenya, women and girls are especially vulnerable to GBV. For example, close to half (47%) of all women who have ever been married in Kenya have experienced at least one form of intimate partner violence (IPV) during their lifetime. This includes emotional, sexual, or even physical violence. In Kenya, physical violence is the most common and affects almost half of all women and girls over the age of 15. The Kenya Health Demographic Survey of 2014.³ indicates that (14%) of women aged 15-49 have experienced sexual violence at least once in their lifetimes. It is important to note that different forms of violence are reported by women, and it is common for physical violence to be accompanied by psychological and sexual abuse. These figures are feared to have gone up during the COVID-19 Pandemic.⁴

¹ World Health Organization. Global and regional estimates of violence against women: Prevalence and health effects of intimate partner violence and non-partner sexual violence. World Health Organization, 2013.

² Ibid

³ Kenya National Bureau of Statistics. 2015. “Kenya Demographic and Health Survey 2014”.

⁴ UN Country Team (2020) ‘Emergency Appeal, Kenya, April-September 2020’, https://reliefweb.int/sites/reliefweb.int/files/resources/Kenya_2020_Emergency_Appeal.pdf (last checked by the author 22

According to the Social Learning Theory by Albert Bandura, violence is a learned behaviour that can be triggered by stress, alcohol abuse or other factors.⁵ This is because behaviour learned in childhood is internalized and considered normal and acceptable behaviour, as children observe from their elders the correct ways of behaving. Social learning theory considers how both environmental and cognitive factors interact to influence human learning and behaviour.

To make matters worse, there are low rates of reporting occasioned by how people are socialized. A study conducted in Kenya in 2014 indicated that 45% of women and 37% of men ages 15-49 years held the belief that wife-beating is okay in some cases.⁶ This shows that there are high levels of acceptance of vice among both the perpetrators and the victims. Perceived immunity of the perpetrator also leads to poor reporting, as well as fear of retaliation, lack of awareness and discrimination towards victims by duty bearers such as security and justice officials. Stigma also causes low reporting of incidences. In Kenya, most cultures believe it is inappropriate and shameful to report cases of rape or domestic violence to the police, with men and boys also showing reluctance to report these cases and seek care since there is a widely held belief that they are not victims of gender-based violence.

Causes of GBV

Several causes of GBV have been identified in Kenya. A study conducted by Otsola in Kasarani, Kenya, identified alcohol and drug abuse, the presence of crime and conflict, poverty, weak community sanctions against perpetrators of GBV, social norms that justify violence against women, and traditional gender norms that support gender superiority and entitlement as some of the causes of GBV in Kenya.⁷ Several risk factors have been identified in connection to GBV. In their study of risk factors for adolescent girls and young women's experience of violence, Vezina and Hebert found that school dropouts had a higher risk factor for violence experience. In addition, they argue that witnessing violence as a child contributes to the perception that violence is an acceptable way of solving problems. This shows that people display behaviour based on what they see in their environment.⁸ Another risk factor for GBV is living in informal urban

August 2021)

⁵ Albert, Bandura. "Social learning theory of aggression." In *The control of aggression*, pp. 201-252. Routledge, 2017.

⁶ Kenya National Bureau of Statistics, 2015. "Kenya Demographic and Health Survey 2014".

⁷ Otsola, John K. *Gender based violence response: The Kasaraini Perspective*. Nairobi: Kenya Women and Children's wellness Center. 2012

⁸ Vezina J., Hebert M. "Risk factors for victimization in romantic relationships of young women: a review

settlements. Urban informal settlements are associated with high poverty levels, high levels of crime, violence, and poor health outcomes, including HIV/AIDS. Studies have shown the association between violent experiences and poverty at the household and community level, which is a key feature of informal urban settlements.⁹

Effects of GBV

Gender-based violence leads to various adverse effects. These include increased risk of contraceptive non-use¹⁰, unwanted pregnancies, unsafe abortions, sexually transmitted infections and low birth weight babies, increased risk of alcohol and substance abuse, self-harm, and more victimization later in life.¹¹ Research done previously in Kenya shows that girls victims of violence often experience hopelessness, depression, and anxiety and may entertain thoughts of suicide.¹² This goes to show that the effects of abuse can be long-lasting. Studies have revealed that Sexual Gender-Based Violence (SGBV) leads to poor academic performance, school dropouts, class nonattendance, low self-esteem, and stress among survivors.¹³ Adolescent girls have particularly been vulnerable to SGBV, especially since the beginning of the COVID-19 Pandemic. A study conducted in schools in Kenya in 2019 established that there were increased teenage pregnancies.¹⁴ The abrupt closure of schools and other programs that benefit marginalized girls led to increased exposure of young girls to SGBV. This was made worse by the economic downturn suffered by most families with the advent of COVID-19 and the lockdowns associated with the same. Schools and community-based programmes have been used to provide safety to young girls, guidance and counselling services, and other essential services

of empirical studies and implications for prevention." *Sage Journals*. 2007

⁹ Cunradi CB, Caetano R, Clark C, Schafer J. "Neighborhood poverty as a predictor of intimate partner violence among White, Black and Hispanic couples in the United States: A multi-level Analysis." *Annals of epidemiology* 2000:297-308.

¹⁰ Maharaj P., Munthre C. "Coerced first sexual intercourse and selected reproductive health outcomes among young women in Kwa Zulu- Natal, South Africa." *Journal of Biosocial Sciences* 2007: 231-244.

¹¹ World Health Organization. Global and regional estimates of violence against women: Prevalence and health effects of intimate partner violence and non-partner sexual violence. World Health Organization. 2013

¹² Kabiru CW, Maina BW, Abuya BA. "Violence victimization and aspirations- Expectations among adolescent girls in Urban Kenya." *International Journal of Adolescent Youth* 2018:281-290.

¹³ UNESCO. "A global review of current issues and approaches in policy, programming and implementation responses to School Related Gender Based Violence for the Education Sector Background Research paper." 2014

¹⁴ Kenya Ministry of Health'Interim Guidance on Continuity of Essential Health Services During the COVID-19 Pandemic'2020

such as menstrual hygiene products.¹⁵ The lack of these services, coupled with economic challenges, saw many girls engage in transactional sex so as to obtain the necessities they required, such as food and sanitary towels. The period also saw a large-scale disruption of services pertaining to GBV, such as medical and psychosocial support services, police and judicial services, and social services.

Mitigation Strategies

Kenya has an established legal framework to deal with cases of gender-based violence. To start with, Kenya is a party to all international human rights conventions and regional conventions regarding GBV. These include the Convention against Torture and other cruel, inhuman or degrading treatment or punishment; the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); and the Convention on the Rights of the Child (CRC). In addition, several acts have been enacted in a bid to curb various forms of gender-based violence. Under the Sexual Offences Act, extramarital rape is punishable by ten years to life in prison. The Protection Against Domestic Violence Act recognizes sexual violence within marriage but only provides civil, not criminal, sanctions. The act also recognizes domestic violence in several forms, including physical, economic, emotional, verbal, and psychological, and prescribes punishments for them.¹⁶ Regardless of this regulatory framework, the Penal Code provisions are not wide-reaching enough to include all cases of violence against women. Domestic violence, as well as cases of sexual harassment, are not easily prosecuted as Penal Code gaps make them difficult to prove.

Similarly, several policies have been crafted to deal with this menace. These include the National Policy for Prevention and Response to Gender-Based Violence (2014), which facilitates the Multi-Agency or Whole Government approach to addressing GBV by providing prevention and response services; the National Guidelines on the Management of Sexual Violence (2014), which gives steps on how to treat survivors of sexual and gender-based violence; and the National Monitoring and Evaluation Framework towards the Prevention and Response to Sexual and Gender-Based Violence in Kenya (2016), which gives indicators for the monitoring and evaluation of sectors that are charged with prevention and response to sexual violence.¹⁷

¹⁵ Neetu John, Charlotte Roy, Mary Mwangi, Neha Raval & Terry McGovern COVID-19 and gender-based violence (GBV): hard-to-reach women and girls, services, and programmes in Kenya, *Gender & Development*, 2021 29:1, 55-71, DOI: 10.1080/13552074.2021.1885219

¹⁶ National Council for Law Reporting. *The Protection against Violence Act*, 2015. Nairobi: Government Printer 2015

¹⁷ World Bank. *Gender Based Violence (GBV) in Kenya, a rapid appraisal of Current GBV legislation, policy, services and research Addressing GBV*. Washington DC: World Bank. 2017

Several strategies can be used to curb the menace and have shown promising results from their use around the world. SGBV prevention programs are very useful in preventing SGBV in communities. This is due to the wrong belief held by some men and women that husbands are justified in beating their wives if they disobey them or resist their sexual advances.¹⁸ Community mobilization programs can serve as places to hold dialogues and provide the right information to all members of the community, as well as link them to available resources at health centres or hospitals. It can also help reduce stigma and encourage survivors to seek help and support. Research has shown that one of the ways to reduce the tolerance for SGBV and domestic violence is to work with boys and men by promoting non-violent norms and gender-equitable roles.¹⁹

Programmes for communicating social behaviour change are also important. Communication for social behaviour change encompasses the use of various communication channels such as mass media, community theatres, awareness campaigns, magazines, social media, and others to address gender-based violence. This can help reduce the acceptability of the vice through targeted messages to change behaviours that encourage or tolerate gender-based violence.²⁰

Conclusion

Provision of GBV services often depends on referrals to other facilities for specialized care. It is therefore imperative that a whole-of-government approach be used to enhance services across the sector and secure justice for the survivors. Data collection and data sharing across relevant government ministries would be useful in reducing the amount of time taken to get justice. Regular training for service providers would help duty bearers know how to respond appropriately and avoid traumatizing the victim further. Community involvement through dialogues and community-targeted media campaigns can provide the requisite information and help the community change behaviour that supports GBV. It is also noted that the process of reporting is laborious and circular. If possible, one-stop desks should be introduced to make it easier to report GBV cases and seek care and support.

¹⁸ Kishor, Sunita and Johnson, Kielsen. "Reproductive health and domestic violence: Are the Poorest women uniquely disadvantaged?" *Demography* 2006:293-307.

¹⁹ Garcia-Moreno C, Jansen HA, Ellsberg M, Heise L, Watts CH; WHO Multi-Country Study on Women's Health and Domestic Violence against Women Study Team. Prevalence of intimate partner violence: findings from the WHO multi-country study on women's health and domestic violence. *Lancet*. 2006 Oct 7;368(9543):1260-9. doi: 10.1016/S0140-6736(06)69523-8. PMID: 17027732.

²⁰ Charillus, Pamela A. 2017. An assessment of the implementation of Sexual Gender- Based Violence in Winam Division, Kisumu County, Kenya. Unpublished thesis.

THE IMPACT OF DEVOLUTION ON HEALTH SECURITY IN KENYA

Dr Angela Nyakundi - Ministry of Health

Abstract

The World Bank has described devolution as “the creation or strengthening, financially or legally, of subnational units of government, the activities of which are substantially outside the direct control of the central government”. It is a type of decentralization of government. On 27th August 2010, a new Kenyan constitution was promulgated establishing a devolved government comprising of a national government and 47 county governments. A desk review of existing literature was carried out to examine the impact of devolution on Kenya’s health security using agency theory. This aimed to answer the question on the effect of devolution on health service delivery in Kenya. This paper found that devolution has impacted health security in Kenya through its effects on service delivery. Devolution was noted to positively affect health care access through increased recruitment of health workforce, drug availability and infrastructure investments. It was also found to be associated with declined access to healthcare due to recurrent industrial action, lack of stock of pharmaceuticals and medical products with county governments neglecting health promotion and prevention programs. This may be related to divergent interest between the national government(principal) and county government(agent).Devolution has been found to have an impact on health security in Kenya with potential for positive change.

Introduction

Sub-Saharan Africa bears a significant proportion of the global communicable and non-communicable disease burden.¹ However, the health systems in this region are often considered weak, unable to meet the demands of their population. This influences the response to infectious disease outbreaks, epidemics and pandemics such as the recurrent Ebola outbreaks and the Coronavirus pandemic. Priority setting, allocation of resources, monitoring and evaluation and accountability are dependent on strong leadership

¹ Bouyateb A., ‘The Burden of Communicable and Non-Communicable Diseases in Developing Countries’, V. Preedy, R. Watson (ed) *Handbook of Disease Burdens and Quality of Life Measures* (2010), pp 531–546.

and governance, a key component of a health system.² Leadership and governance within the context of different forms of government, centralized or decentralized, therefore plays a role in health security.

The 1994 UNDP Human Development Report presented 'health security' as a sub-component of human security. As described in the report, it includes communicable(infectious) disease such as tuberculosis and non-communicable(non-infectious) disease including cancer as well as illness related to women in childbirth. The report also presents determinants of health such as nutrition, water and environment.³ Since the development of this report there have been varying definitions of health security. The World Health Organization refers to 'global health security' taken to mean "activities required, both proactive and reactive, to minimize the danger and impact of acute public health events that endanger people's health across geographical regions and international boundaries."⁴ These activities are supported within a robust health system in the context of efficient and effective leadership of a country.

Devolution has been described as certain arrangements of a constitution enabling the transfer of the power to legislate and make decisions from a central government to sub-national institutions.⁵ On 27th August 2010, the new Constitution of Kenya was promulgated creating a decentralised government comprising of the national government and 47 county governments.⁶ These county governments are to carry out assigned functions whose distribution has been spelled out clearly in the Fourth Schedule of the Constitution of Kenya.⁷ The county mandate comprises provision of county health services including health service delivery with the formal transfer of this function carried out in 2013.⁸ The significance of this transfer has been accentuated with the launch of the Big Four Agenda, a phase of Kenya's Vision 2030, which aims to deliver

² World Health Organization, 'Health Systems: Improving Performance', The World Health Report 2000, (Geneva, World Health Organization:2000) pp. 5

³ UNDP, 'Human Development Report: New Dimension of Human Security', New York: Oxford University Press, 1994. http://hdr.undp.org/sites/default/files/reports/255/hdr_1994_en_complete_nostats.pdf [Accessed 30 June 2021]

⁴ World Health Organization, Health Security, https://www.who.int/health-topics/health-security#tab=tab_1 [Accessed 6 Aug 2021]

⁵ The Centre on Constitutional Change, 'What is devolution?', <https://www.centreonconstitutionalchange.ac.uk/the-basics/what-devolution>, Accessed [25 Aug 2021]

⁶ The Presidency, 'The Constitution of Kenya', <https://www.president.go.ke/the-constitution>, Accessed [26 Aug 2021]

⁷ The Republic of Kenya, The Constitution of Kenya 2010, Fourth Schedule

⁸ Barker C. et al, 'Devolution of Healthcare in Kenya, Assessing County Health System Readiness in Kenya: A Review of Selected Health Inputs', (Washington, Health Policy Project:2014)

affordable healthcare.⁹ The impact of the transfer of these functions on health security has varied.

This paper examines the impact of devolution as a form of decentralization on health security in Kenya to respond to the research question on the effect of devolution on health service delivery in Kenya. It applies the agency theory to explain the described effects.

Global effect of decentralization on healthcare

Devolution of government results in the creation of distinct local governments with activities of these sub-national governments mostly out of the control of the central or national government.¹⁰ It is one of four forms of decentralization, the other forms being deconcentration, delegation and privatization. It aims to enhance equity in access to national assets to meet the contextual needs of the population at the local level.¹¹ With the transfer of power follow the resources and the authority to use the resources to ensure the new responsibilities at the sub-national institutions can be carried out.¹²

Decentralization of health services has been observed in developed and developing countries such as India, Pakistan, Canada, Sweden and the Philippines with varying effects. Zambia began its decentralization of health services in 1992 while in Uganda it began in 1997. In both countries, it was observed that the ability of their populations to access even basic health care services reduced with a continuing decline in coverage of childhood immunization.¹³ Decentralization in Nigeria although effected to improve health services closer to clients at community level has been noted to have adverse results. Transfer of health care workers from low to high level facilities has been reported due to push and pull factors related to decentralization within the labor market.¹⁴

During the COVID 19 pandemic, the crisis response and outcomes have varied between regions in Italy with approximately 180 deaths compared to 60 deaths each per 1000 cases in two different regions at one point in time.

⁹ The Presidency, 'Universal Health Coverage', The Presidency Kenya, <https://www.president.go.ke/universal-health-coverage/>

¹⁰ Rondinelli D. et al., 'Decentralization in Developing Countries: A Review of Recent Experience', (Washington D.C, The World Bank: 1983) pp. 24

¹¹ World Bank, 'Devolution Without Disruption: Pathways to a successful new Kenya', (World Bank, 2014)

¹² Op.cit., Rondinelli, pp.25

¹³ Jeppson A. et al., 'Vertical or Holistic Decentralization of the Health Sector: Experiences From Zambia and Uganda', *International Journal of Health Planning and Management*, Vol. 15, (2000), pp. 273-289

¹⁴ Abimbola S. et al., 'How decentralisation influences the retention of primary health care workers in rural Nigeria', *Global Health Action*, Vol 8, (2015)

This was related to the varying response in the decentralized health system.¹⁵ During this same period, Germany has experienced challenges with collating data from numerous health information systems. However, it has been able to maintain adequate COVID 19 testing at the local level and expand the number of ICU beds to meet demand with local contextual exceptions.¹⁶

Effect of devolution on health security in Kenya

Following devolution, the national government has retained the functions of regulation, policy development, capacity building, management of national referral health facilities and provision of technical assistance to the counties.¹⁷ The county health services taken up by county governments include management of county health facilities and pharmacies, ambulance services and promotion of primary health care.¹⁸ The 47 county governments are responsible for priority-setting, developing plans and budget making for health.¹⁹

Since 2013, there has been improved access to health workers such as in Kilifi County through recruitment and redeployment of staff because of the autonomy in budgeting for and deployment of staff.²⁰ Overall, it has been reported that in the five years after transfer of health services, health workers in the counties have increased from baseline numbers by 41%.²¹ In addition, drug supply chains to health facilities have improved as has the availability of ambulances.²² There has also been investment in infrastructure and medical equipment during this period such as in Nairobi County.²³

¹⁵ Capano G. et al., 'Decentralisation, policy capacities, and varieties of first health response to the COVID 19 outbreak: evidence from three regions in Italy', *Journal of European Public Policy*, Vol. 28, No. 8, (2021) pp. 1197-1218

¹⁶ Heitmuller A. et al., 'Covid-19 and the false dichotomy between centralised and decentralised healthcare systems', <https://blogs.bmj.com/bmj/2020/08/05/covid-19-and-the-false-dichotomy-between-centralised-and-decentralised-healthcare-systems/>, Accessed [27 Aug 2021]

¹⁷ Op. cit, The Republic of Kenya

¹⁸ Ibid, The Republic of Kenya

¹⁹ McCollum R., et al., 'Health system governance following devolution: comparing experiences of decentralisation in Kenya and Indonesia', *British Medical Journal Global Health*, Vol. 3, No.5 (2018), pp. 1-11

²⁰ Tsofa B. et al., 'Devolution and its effects on health workforce and commodities management – early implementation experiences in Kilifi County, Kenya', *International Journal for Equity in Health*, Vol. 16, No. 169(2017)

²¹ Ministry of Health Kenya, Kenya Human Resource for Health Strategic Plan 2019-2023, (2020) pp. 6

²² Op.cit., Tsofa B. et al.

²³ Gimoi T., 'The Impact of Devolution on Health Care Systems: A Case Study of Nairobi County Health Facilities', United States International University, (2017)

In Bomet County it was reported that 5 hospitals were built between 2013 and 2015.²⁴ These gains are likely to have increased availability and access to care for patients particularly within the more affordable public health system.

However, there has been evidence of differing objectives between the national government(principal) and the county governments (the agents) as reflected in service delivery gaps. There have also been challenges including recurrent industrial action and resignation by health workers citing reasons related to poor work environment and remuneration.²⁵ It has been reported that approximately 300 working days have been lost due to health workers' strikes between 2014-2018.²⁶ Similar industrial action has also been reported during the COVID 19 pandemic due to inadequate personal protective equipment, medical insurance and late salaries.²⁷ This may be related to health worker shortages and inequity in access to services and in the context of the pandemic could lead to missed diagnosis, disability and death. Following devolution, it has also been reported that stock out of essential medicines and health products were common in county health facilities.²⁸ This may have been associated with increased costs in purchasing health products from private facilities with poor outcomes.

Underinvestment in health promotion and disease prevention programs within the counties has also been noted as it does not accrue political mileage.²⁹ These gaps have been attributed to inadequate capacity of county leaders who make significant decisions and set priorities.³⁰ This may be associated with the finding that approximately 20-40% of resources in the health sector are lost through corruption or needless waste.³¹ This is a missed opportunity that could for instance ease the spread of infectious disease including polio, cholera and even COVID 19 endangering the health security of the population.

²⁴ Sang V., 'Effects of Devolution on Technical Efficiency of Healthcare Services Delivery in Bomet County, Kenya', Kenyatta University, (2018)

²⁵ Kemri Wellcome Trust, 'Early Experiences and Effects of Health Sector Devolution in Kenya', Resilient and Responsive Health Systems (2018)

²⁶ Op. cit., Ministry of Health.

²⁷ Reuters, 'Kenyan doctors end strike over inadequate PPE, delayed pay', Reuters December 24th 2020, <https://www.reuters.com/article/us-health-coronavirus-kenya-strike-idUKKBN28Y1CA>, Accessed [28 Aug 2021]

²⁸ Op. cit., Kemri Wellcome Trust

²⁹ Op. cit. Tsofa B. et al.

³⁰ Op.cit., McCollum et al.

³¹ World Health Organization, http://www.who.int/whr/2010/10_chap04_en.pdf?ua=1

Recommendations

The national government needs to strengthen collaboration with the respective county governments to create awareness of their role in ensuring health security in Kenya through their delegated health sector responsibilities. This should extend to focused capacity building such as in health sector planning, budgeting, implementation and health products supply chain management. In addition, review of current human resource management practices in the counties should be carried out with consideration of centralization of the function through a health workforce commission.

Both levels of government need to leverage on the opportunities the COVID 19 pandemic has presented to strengthen disease surveillance, laboratory testing and provision of equipment to improve in country capacity.

In addition, primary health care should be brought to the fore of sector investment with focus on prevention of disease and programs that advance positive health practice in the counties.

Conclusion

Devolution of health service delivery aims to increase the decision-making space available at the local government level for optimal health outcomes. Globally it has been observed to have different effects on the health security within different populations. As it influences the governance structure of a health system, it can affect the health workforce, drug supply, infrastructure investments and health care financing both adversely and beneficially. It has the potential to influence outcomes related to health during the COVID 19 pandemic. Devolution of the delivery of health services in Kenya needs to be focused to deliver quality, affordable and accessible health for all.

THE IMPORTANCE OF FORENSIC ACCOUNTING IN CURTAILING FRAUD IN NIGERIA

Group Captain Idriss Suleiman - Nigeria Air Force

Abstract

The increase in diversity in business operations, accounting education and practice, and the reliability of financial activities have become important areas of discussion in the modern era. This development has pushed up white-collar crimes such as fraud and corruption in corporate entities and in the public sector. Therefore, a new generation of expertise has emerged; “forensic accounting”. Forensic accounting activities, which have not been adequately discussed in Nigeria, are now essential for litigation support in the area of accounting and finance. Therefore, this necessitates the significant contribution of forensic accounting in accounting education and practice. Empirical evidence has been established that the emergence of forensic accountants will restore confidence in the credibility of corporate firms and their reports. Forensic accountants help lawyers, courts, regulatory bodies, and other institutions investigate financial fraud. There is a need for forensic accountants to possess the required accounting education to solidify their knowledge and skills in the area of accounting and auditing.

Introduction

There has been an open debate regarding the independence of accountancy and forensic accounting. Furthermore, there is massive verbal confrontation about accounting knowledge and practice in Nigeria (Riyadh et al., 2017). According to Sudibyo (1986), in the fundamental expression of the accounting profession and accounting in practice, accounting is neither an art nor a science but a technology.

The understanding of forensic accounting has been impressive, although there are some contradictions that remain. The central paradox found so far is that, from the academic perspective, the development of theories does not adequately respond to the demands of practice. Forensic accounting is a system and people-driven. The breakthrough of forensic accounting in this area came from two sources: firm methods and theories.

Forensic accounting is the application of a professional accountant’s specialized knowledge and investigative skills to collect, analyze, and evaluate the evidential matter, as well as interpret and communicate findings in a

courtroom, boardroom, or other legal or administrative venues (Narayanan, 2020).

The justification of this paper is the continuous developments in the economy and technology. Businesses have begun to be more active in international markets. Developing, changing, and constantly extending sectors have caused uncontrollable fields to originate and the competition factor to arise with them (Karabayir, 2019). This situation triggers the challenges of applying practical forensic accounting. However, the rise in challenges is attributed to the recent development of a new type of fraud crime. Also, technology opens the door for creative ways to commit fraud crimes. Furthermore, countries that care about fraud crimes and the use of forensic accounting face fewer difficulties in mitigating the challenges of forensic accounting (Oseni, 2017). However, the types of challenges differ from developed to developing countries.

Review of Related Empirical Work

Abdulrahman (2019) studied the use of forensic accounting to prevent fraud in the public sector in Nigeria. The study used different selected papers concerned with the help of forensic accounting in fraud-fighting from Nigeria and other countries. The study used content analysis procedures. The results of the study showed that forensic accounting techniques are not applied in Nigeria to prevent fraud in the public sector. Moreover, a framework should be prepared to include all the parties interested in fighting fraud from the private and public sectors to build the required capabilities for application. Furthermore, Weina and Ihlas (2017) posit that the current degrees provide a solid theoretical background in forensic accounting education but lack the development of practical skills which are required by profession. The study concluded that they both lack the development of functional attributes. These studies further opened the room for research on the development of a forensic accounting curriculum.

Blessing (2015) empirically examines forensic accounting techniques in curbing creative accounting. A primary source of data collection was employed, and the statistical tools used in analyzing the data include: The Kruskal-Wallis test mean rank and percentage distribution. The study's findings revealed that there is strong evidence of the effectiveness of forensic accountants' techniques in combating the problem of creative accounting. The result further revealed the existence of solid evidence that forensic accountants have enhanced their efficiency over time. Also, it was found that there is strong evidence that the emergence of forensic accountants has restored confidence in the credibility of corporate firms and their reports.

Theory of Forensic Accounting

A forensic accounting theory is an explanation for observed forensic accounting practices. Past and recent accounting scandals in financial and non-financial firms have shown that expertise in forensic accounting is crucial to detecting financial fraud that originates from a firm's financial accounting process. Ozili (2020) states that the central premise of forensic accounting theory is that the choice of forensic detection methods is not merely a result of the forensic investigator's experience, skills, or knowledge but rather depends on the accounting and non-accounting considerations made by the forensic investigator at the start, during, or at the end of the fraud detection process. Forensic accounting theory represents a specific criminal investigation in the white-collar world. It is called a criminal investigation since conducting fraud and misreporting when it comes to official financial statements of the companies is against corporate criminal law. (Jokovic, 2020).

Forensic Accounting

Forensic accounting in Nigeria has come to the limelight in the recent past due to the high rate of white-collar crimes like embezzlement, fraudulent financial activities, and corporate failure. Forensic accounting is a legal term as well as a unique accounting technique and concept that relates to legal matters (Mondal & Sarkar, 2019). The collapse of major companies as a result of fraudulent statements has increased concern over the existence and growth of financial crimes as well as corporate malfeasance and misconduct (Kumshe et al., 2018). Recent corporate accounting scandals in Nigeria's banking sector that resulted in the liquidation and mergers of Access Bank Plc and Diamond Plc in 2019 and also poor corporate governance practices in First Bank Plc in 2021, which necessitated the CBN forensic auditing, call into question the capabilities of financial auditors and accounting education. Bhavani & Mehta (2018) argued that traditional accounting graduates who become corporate accountants and internal and external auditors without a proper understanding of fraud and forensic accounting are no longer in demand. The increasing number of white-collar crime frauds puts pressure on accounting educators, students, and professional organizations to venture into the specialized fields of fraud and forensic accounting.

Nigeria, as a developing economy, is not an exception to the global threat of financial crime. Cases of financial crimes have been reported daily in the nation's press. The standard type of fraud in Nigeria has been institutionalized public sector corruption (Ibrahim, Rose, & Mohamed, 2016).

Also, corporate failure is due to the mismanagement of shareholders' funds by the management of private companies. Furthermore, the Economic and Financial Crimes Commission (EFCC) secured 865 convictions from 1,305 cases investigated for financial crimes. This represents a 66% conviction rate, which is low. Subsequently, previous findings have linked the low performance to organizational factors (Human Right Watch, 2020) and non-adoption of forensic accounting in the fraud investigation process (Ibrahim et al., 2020).

However, the central important law enforcement agencies involved directly in combating financial and economic crimes are the Police Special Fraud Unit, the Economic and Financial Crime Commission (EFCC), and the Independent Corrupt Practice Commission (ICPC). While the EFCC combats financial crimes involving large amounts of money, the ICPC oversees crimes with a lesser amount. However, law enforcement agencies make less effort to train their investigators in the area of forensic accounting. It is widespread that the investigation of major financial crimes is handled by general investigating personnel or officers that engage in investigating conventional. The result is obvious; the case dies a natural death, and the criminals roam freely on our streets, as the investigating police officer soon gets bored with cumbersome financial records due to his lack of specialized knowledge and qualification.

In Nigeria, there is little evidence of forensic accounting education (Ibrahim et al., 2016). In fact, Ibrahim et al. (2016) argued that despite the growth in demand for fraud detection and forensic accounting globally, the development and adoption of forensic accounting into the accounting curriculum in universities is taking place in the developed economies. The study further argued that most empirical studies tend to focus on developed economies with little representation of the situation in developing economies.

Mondal & Sarkar (2019) outline three benefits of forensic accounting: To reduce financial crime: Fraud has become a common phenomenon in the business environment. Forensic accounting helps to identify covert financial crimes by analyzing companies' financial operations. In brief, it helps to gather information about crime, detect crime, and also helps to identify crime. In this way, forensic accounting reduces financial crime and helps in thoughtful decision making. Forensic accounting helps to uncover fraudulent activities. It helps to expose the weaknesses, or otherwise, of any company. So, it supports an investor in the matter of taking thoughtful investment decisions and also assists financial institutions in their decisions on whether or not to advance loans to a business and helps in formulating economic policy. The data that is analyzed and its outcomes are used in developing policies in an economy.

Conclusion and Recommendations

Forensic accounting is a new growing area of the accounting field with the detection and prevention of financial fraud and white-collar criminal activities. Forensic accounting is a mixture of accounting, auditing, and investigative skills which are used to find out uncovered financial fraud. It is helpful for legal action as well as for analytical accounting. Also, the forensic accounting theory identifies the accounting and non-accounting decisions taken into consideration by the forensic accountant or investigator during a forensic investigation exercise.

Finally, the position is in support of the research work of Blessing (2015), which found that there is strong evidence that the emergence of forensic accountants has restored confidence in the credibility of corporate firms and their reports. Hence, by applying accounting principles, auditing skills, and investigative procedures to solve some legal issues, forensic accountants help lawyers, courts, regulatory bodies, and other institutions in investigating financial fraud.

Based on the systematic review of the literature, the study recommended that forensic accounting education should be introduced at the undergraduate and postgraduate levels of education. Secondly, the practices of forensic accountants should be recognized in the law to enable effective methods.

HEALTHCARE IN KENYA HAS EVOLVED

Ms. Teresia M. Lengees - National Intelligence Service

Abstract

The promulgation of the Constitution of Kenya in 2010 introduced devolution into the Kenyan jurisdiction, where certain administrative authorities previously held by the national government were decentralized to the 47 county governments. The essence of the antecedent delegation is to promote public participation in decision making, accountability in the exercise of power, foster national unity, and have an equitable sharing of public resources. The devolution of health services in Kenya has significantly impacted the delivery of health services in the country since its implementation in 2013, when county-government structures were manifested for the requisite functions. Key among such impacts have been instances of delays in salary payments of health workers, misuse of funding required in the provision of services, and inadequate financing detrimental to health service delivery. The aforementioned are in addition to the constant power struggles existing between the two levels of government over the management of human resources for health and the procurement of health supplies. Looking at the impact of the devolution in healthcare during the COVID-19 pandemic, there is an increased number of human resources on health at the county health facilities due to an increased decision-making space on the recruitment, distribution, training, and management of human resources. This research study has examined the quality of healthcare services provided in the county hospitals and seeks to assess how planning and delivery of healthcare services are done at the county level. As far as accountability and equitable sharing of resources are concerned, public participation in the administration and management of health in the county has also been achieved through the check and balance mechanisms brought about by the members of the County Assembly.

Historical Background

Since attaining independence and afterwards becoming a republic in 1964, proper healthcare has been a prerogative of the affluent due to the underdevelopment of the sector, especially in rural and marginalized areas such as the northern parts of Kenya. A majority of Kenyans, unable to afford the services of private health facilities, have since independence been forced to bear with the inadequacies associated with service delivery in health

nationwide. To begin with, due to incapacity to afford the services offered at various health facilities, many Kenyans just after independence could not access proper health care. To tackle the problem, the regime of the time put in place policies provided in the National Development Plan, which sought to revoke all user charges required to access public health clinics in 1965. This was applied to implement the Sessional Paper No.10 on African Socialism and its Application to Kenya, which emphasized disease eradication for the maintenance of a healthy working nation. The National Health Insurance Fund, a compulsory scheme for employed people regarding their income, was also introduced in 1966 to strengthen the delivery of healthcare.¹

This principle of free health for all was later expanded in the 70s when access to healthcare was made accessible in all public health facilities countrywide, and the requisite infrastructure improved. Deconcentration and decentralization efforts were later made in 1983 and 1986 to improve the administration of health policies in rural areas through the District Focus for Rural Development and National Guidelines for the Implementation of Primary Health Care in Kenya, respectively. The former promoted district-based health management, and the latter emphasized decentralization, community participation, and intersectoral participation. However, due to economic turmoil in the 80s, user charges were reintroduced by the latter policy, which began to be applied in 1992 as it faced opposition from the populace. In the same year, District Health Medical Boards were created in all 71 districts to monitor the implementation of health policies and represent the interests of the community at the district level. In 1994, the Kenya Health Policy Framework Paper, which set out to decentralize all aspects of health management and decision-making to the districts, was promulgated. The policy's implementation was, however, to be overseen by the Ministry of Health, which would play the regulatory and steering role, with its lifespan running to 2010.²

Theoretical Framework

The applicable theory to devolved health care is the Theory of Change propagated by Karen Glanz, 1997. The Theory of Change is an organizational roadmap that defines the vision for the future and how the image will be achieved through a series of activities. It incorporates knowledge and know-how from 10+ years of delivering medical care and the resulting models of health care delivery. The theory is also designed with a sequence of change pathways that result in desired outcomes. This theory forms the foundation

¹Wamai, "The Kenya Health System," 139

²Wamai "Healthcare Policy Administration and Reforms," 135

for strategic planning for the future and also influences the types of projects and investments made in programs to be taken in the delivery of health care, including teams involved and opportunities that need to be persuaded.

A literature review

The promulgation of the Constitution of Kenya (2010) introduced devolution into the Kenyan jurisdiction, where specific administrative authority hitherto inherent to the national government was decentralized to the 47 county governments. The essence of the antecedent delegation was to promote public participation in decision making, accountability in the exercise of power, foster national unity, and equitable sharing of resources accruing from the federal government, *inter alia*.³ Amongst the authoritative functions that were devolved to the county governments as per the Fourth Schedule of the Constitution are health services such as the promotion of primary healthcare and administration of county health facilities and pharmacies. The formulation of health policies applicable to the state and the administration of national referral health facilities are, however, a preserve of the federal government.⁴ This devolution of health services places the mandate of organizing, financing, coordinating, delivering, and supervising the sector on the county governments for the satisfaction of every citizen's right to the highest attainable health standards by the prevailing national health policies.⁵

However, there have also been significant negative impacts on service delivery in Kenya following the implementation of devolution in health services in 2013, when county-government structures were established for the requisite functions. Key among such impacts have been instances of delays in salary payments of health workers, misuse of funding required in the provision of services, and inadequate financing detrimental to health service delivery. In addition, there have been constant power struggles existing between the two levels of government over the management of human resources for health and the procurement of health supplies.

Devolution has provided for increased human resources for health at the county health facilities due to an increased decision-making space on its recruitment, deployment, training, and management about the vacancies present at the various levels and the available budget. Moreover, the decision-making space has also been brought closer to the people since the recruitment process provides for the selection of candidates who represent the diversity of

³ Constitution of Kenya 2010, art 174

⁴ Constitution of Kenya 2010, art 186 (1)

⁵ Constitution of Kenya 2010, art 43 (1) (a)

the different countries in addition to their competence. Thus, human resources in health are not only increased but also portrayed as it is based on affirmative action appropriate to the different countries.⁶

However, this has also led to an increase in ghost workers. As is seen in practice, some health care workers who are dubbed as casual workers, despite their not being so, are recruited in a parallel process which bypasses the legal and policy provisions on recruitment. In most cases, such appointments are based on nepotism and tribalism and often disregard the minimum qualifications set in the scheme of service.⁷

Another impact of the devolution of health is the increased accountability of public resources and health officials at the county level, especially those in relatively high positions such as the members of the County Department of Health and the County Public Service Board. Administrators at the County Department of Health are accountable to the County Public Service Board, which serves as the controller and overseer of all county employees in their running of health affairs at the county.⁸

However, the process of accountability has been subject to abuse, especially by the members of the County Assembly who put pressure on the County Department of Health officials to earn favours, such as having their relatives recruited as workers without merit. Thus, accountability is used as a tool for threats when specific blessings are not given by the managers to the members of the County Assembly. Of importance is the fact that there is a lack of proper guidelines for the distribution of health workers in the country, which gives the managers some discretion in making recruitments to the various levels of hospitals.⁹ This illegal method of appointment also burdens the county coffers as the workers are included in the payroll of the county, which contributes to the overall delay in payment for the workers. Additionally, there has been an improvement in the management of essential medicines and medical supplies since the counties make orders directly to KEMSA, unlike in the previous regime where they were made through the Ministry of Health. As was seen in 2014, there was an improved order-fill rate for supplies to health facilities in the county, including community health centres, which were previously neglected by the central government. Thus, this management has brought about an equitable sharing of resources.¹⁰ This process has, however, been subject to corruption and political influence as to the priority of things to be

⁶ Munywoki et al., "Tracking Health Sector Priority," 10

⁷ Ibid

⁸ Tsofa et al., "How Does Decentralization Affect Health," 6

⁹ Tsofa et al., "How Does Decentralization Affect Health," 6

¹⁰ Tsofa et al., "How Does Decentralization Affect Health," 6

supplied by many politicians, in need to impress their electorate, demanding ambulances instead of other relevant health equipment.

Devolution has eased the collection and consolidation of data on county preparedness and response to the COVID-19 pandemic, allowing for planning, budgeting, and appropriate resource allocation through the Council of Governors' Covid-19 Secretariat. Through non-governmental organizations such as Think Well, the counties were able to receive and convey information to the Secretariat, which then transmitted the same to the national government, allowing for counties to take part in national discussions pertaining to the pandemic. The Secretariat was also tasked with involving the federal government and other stakeholders, such as donors like the Bill and Melinda Gates Foundation, in mitigating the pandemic's impact on the country. Devolution also allows counties to make independent resource mobilization arrangements, planning, and budgeting according to their needs, in addition to those received from the central government. Isiolo county, for instance, has formulated initiatives such as the provision of home-based care to allow for the attending to COVID-19 patients from their homes instead of having them come to the health care facilities, which are relatively far. Kilifi County, on the other hand, has prioritized surveillance of COVID-19 cases with the County Department of Health, allocating significant resources to maintaining proper communication within the county on infection cases and deaths for adequate preparation for fighting the pandemic.¹¹ That notwithstanding, the conflict between the county government and the national government over the supply of human resources and procurement of health supplies in the healthcare facilities in the county has encumbered health service delivery during this period. This conflict arose mainly due to the unreliability of all countries to regularly remunerate the health workers, and this has been so during the pandemic period, prompting a strike by the latter. The health workers also complained about the lack of PPEs, poor working conditions, and inadequate training and testing kits for COVID-19, thus stifling their efforts to prevent the spread of the virus. In addition to the delivery of their service, they are also at risk of contracting the virus and hence are discouraged from giving their all in the line of service. This inadequacy is a result of the difficulty in obtaining supplies by the county governments because of the monopoly on procuring supplies by the national government. There has also been the varied provision of healthcare from county to county, with some counties having adequate facilities to manage the virus while others are lacking in basics such as good beds and quarantine facilities, which infers a difference in the quality of service

¹¹ Murira and Mbutia, ThinkWell Short-term Technical Assistance, 3

provided.¹²

Conclusion

In conclusion, the devolution of health has many benefits for Kenyan citizens as far as accountability and equitable sharing of resources are concerned. Moreover, public participation in the administration and management of health at the county level has also been achieved through the check and balance mechanisms brought about by the members of the County Assembly. However, the existence of corruption and mismanagement of resources due to political pressure has been seen to be a critical factor in the quality of health standards at the county level, defeating the purpose of devolution. This has been especially true during this pandemic period and has been a setback for the delivery of services, thus risking the lives of many Kenyans.

¹² Osoro, "Devolution and COVID-19 Crisis,"³

PREVENTION IS BETTER THAN CURE: A SUSTAINABLE APPROACH TO THE FIGHT AGAINST CORRUPTION IN KENYA

Mr. Vincent O Okong'o - Ethics and Anti-Corruption Commission

Abstract

Anti-corruption strategies all over the world emphasize law enforcement, which, according to scholars, is reactive, costly, time-consuming, and takes place after the crime is committed. Kenya has adopted a three-pronged strategy in fighting corruption, namely: investigation, prevention, and public education. This paper postulates that prevention is the most sustainable approach to fighting corruption and presents a viable long-term solution to the problem of corruption in Kenya. It analyses preventive measures in terms of their effectiveness and challenges. The paper recommends that policymakers put more emphasis on corruption prevention. This includes the government taking deliberate steps to securitize corruption prevention. First, it should strengthen corruption prevention laws to ensure that institutional leadership takes responsibility for failure to prevent corruption in their spheres of influence. Second, anti-corruption agencies responsible for corruption prevention, particularly EACC, should be well-resourced and capacity-built to prevent corruption effectively. Third, and finally, corruption prevention requires the involvement of all actors, including non-state actors, for the war on corruption to be won. The government should take deliberate steps to mobilize non-state actors through collaboration and partnership for effective collective action against corruption.

Keywords: *corruption, investigation, and prevention.*

Introduction

Corruption is a major governance challenge in the world. It affects countries' development efforts. It is estimated that about USD1.26 trillion is lost in developing countries through corruption, bribery, theft, tax evasion, and illicit financial flows.¹ Resources lost can be used to provide critical basic services like healthcare, education, water and shelter. Corruption is one of the major

¹Fleming, S. "Corruption". World Economic Forum, 09 Dec 2019. Available at <https://www.weforum.org/agenda/2019/12/corruption-global-problem-statistics-cost/> (Accessed on 10/3/2022)

problems affecting Kenya. According to the Ethics and Anti-Corruption Commission (EACC) Survey on Corruption (2017)², 87% of respondents feel that corruption has permeated all sectors of the country and affects their daily lives. The state has declared corruption a threat to national security.

Several interventions have been made to fight corruption globally. The UNCAC was adopted on December 9, 2003, providing a framework for fighting corruption and sharing experiences throughout the world.³ Kenya is domesticating the Convention and putting in place laws, institutions, and policies. However, no single strategy provides sustainable solutions to fight corruption.⁴ Strategies must be tailored to the country's history and socio-economic and political realities. Historically, the state has prioritized law enforcement as a tool for demonstrating political will and commitment. The effectiveness of EACC has been largely premised on investigation outcomes. In the last 17 years, EACC recovered assets worth Kshs. 26.65 billion; secured 293 convictions and averted a loss of Kshs. 135.9 billion. Furthermore, in the last five years, 890 investigations were completed and submitted to the Director of Public Prosecution for prosecution; and 273 corruption cases were resolved in courts, with 62% of the accused being convicted.⁵

Kenya has made great strides in anti-corruption law enforcement based on investigations conducted, convictions secured in court and public assets recovered. However, it is apparent that law enforcement is not very effective in deterring corruption. A number of corruption scandals have been witnessed in the last decade or so. The latest scandal was over the procurement of personal protective equipment (PPE) by the Kenya Medical Supplies Authority (KEMSA) for COVID-19 containment measures. Scholars observe that excessive legislation and a strong emphasis on law enforcement may often not yield long-term results.⁶

Other measures, such as the prevention of corruption, play a critical role in corruption control. However, preventive strategies have received inadequate attention from policymakers. This study contributes to the policy discourse

² EACC. "National Ethics and Anti-Corruption Survey 2017". Available at <http://eacc.go.ke/default/wp-content/uploads/2018/11/EACC-ETHICS-AND-CORRUPTION-SURVEY-2017.pdf> (Accessed on 10/3/2022)

³ The UNCAC was enacted in October, 2003 through a UN General Assembly Resolution 58/4

⁴ Man-wai, T. K. "Formulating an Effective Anti-corruption Strategy- the Experience of Hong Kong ICAC", 2006.

⁵ EACC: "Our Achievements". Available at <https://eacc.go.ke/default/achievements/> (Accessed on 10/3/2022)

⁶ See Klitgaard, R. et al. "Corrupt Cities, A Practical Guide to Cure and Prevention". Institute for contemporary Studies (ICS) Press, Oakland-California, 2000; and Bardhan, P. "The Economist's Approach to the Problem of Corruption". University of California, Berkeley, CA, USA, 2005.

in the fight against corruption and emphasizes the role of prevention as a conventionally recognized approach in the fight against corruption. The study examines corruption prevention as an effective and sustainable approach to fighting corruption. It makes a case for high policy level commitment to preventive measures in Kenya. The study sought to answer two questions: i) What are the preventive measures in the fight against corruption in Kenya? And ii) What are the obstacles to corruption prevention in Kenya? The study determined the role of prevention in the fight against corruption in Kenya and the challenges faced in corruption prevention in the country.

The study adopted the Institutional Economics theory in analyzing corruption prevention mechanisms and challenges facing prevention as a strategy in the fight against corruption.⁷ The institutional economics approach states that corruption occurs where there are weaknesses in policy, systems, procedures, and regulations in an institution and where there is no commitment and trust on the part of public agents (employees). Employees exploit existing weaknesses in systems and regulations to make decisions that benefit them rather than the employer. This takes the form of rent-seeking, which undermines the efficiency and effectiveness of public institutions. Information asymmetry may also make anti-corruption measures like monitoring systems, incentives, and threats of penalties less effective.

Bardhan observes that economists emphasize appropriate incentives to dissuade individuals from corruption.⁸ These incentives can be a reduction of monopoly and discretionary power through the provision of systems and procedures that reduce the powers of public officers and create open, transparent, and accountable procedures and processes. Corruption prevention measures are intended to make public officials intolerant of corruption through attitude and behaviour change, transparency and accountable systems, and the eradication of monopoly and discretion in decision-making.

The study relied on secondary data extracted from published government reports, policy documents, and other relevant materials. Data was analyzed and presented in the form of tables and content analysis.

⁷ Rose-Ackerman, S. "Chapter 4: The Institutional Economics of Corruption", in de Graaf, G., von Maravić, P., and Wagenaar, P. (Eds): *The Good Cause: Theoretical Perspectives on Corruption*. Available at <https://www.jstor.org/stable/j.ctvbj7k5p.8> (accessed on 10/3/2022).

⁸ Bardhan, P. "The Economist's Approach to the Problem of Corruption". University of California, Berkeley, CA, USA, 2005.

Corruption Prevention in Kenya

Understanding Corruption prevention There is no universally accepted definition of corruption. The Moralist school of thought sees corruption as a distortion of moral values and ethics. Rational choice theorists argue that corruption and economic crime are crimes of calculation, and therefore an individual will engage in corrupt acts when the benefits outweigh the risks. Principal-agency theorists view corruption in the public sector as the consequence of ineffective principal-agent relations resulting in the betrayal of the principal's interests by the agent. Institutional economists observe that corruption occurs where there is weakness in systems of governance and that individuals will always take advantage of such loopholes in the systems and processes of institutions. From this analysis, there is no universal definition of corruption. However, a widely used definition is: "the misuse of public office for private gain."⁹ Corruption, especially in the public sector, is triggered by the existence of a monopoly of powers with full discretion and a lack of accountability.¹⁰ According to Klitgaard et al., the preventive approach views corruption from the institutional economic point of view.¹¹ It is imperative to note that the standpoint taken in understanding corruption determines the anti-corruption strategies and approaches adopted.

Corruption prevention is understood as the process of detecting, assessing and identifying corruption loopholes and opportunities and putting in place measures to minimize those opportunities and seal the loopholes.¹² The United Nations (UN) acknowledges that addressing public awareness, enhancing public intolerance of corruption and strengthening the integrity of public administration are basic mechanisms for preventing corruption. Recently, the focus of corruption prevention has been the use of corruption risk assessment (CRA).¹³ Corruption prevention is a proactive mechanism aimed at catching corruption in the bud. It goes well with the saying, "It is worthless to close the door when the horse has bolted." In this case, it emphasizes closing the barn doors and keeping the horse safe.

Chapter II of UNCAC outlines preventive measures against corruption.

⁹ World Bank. "Helping Countries Combat Corruption: The Role of the World Bank". Poverty Reduction and Economic Management, September 1997, pp 19-20.

¹⁰ Klitgaard, R et al. "Corrupt Cities, A Practical Guide to Cure and Prevention". Institute for contemporary Studies (ICS) Press, Oakland- California, 2000.

¹¹ Ibid

¹² EACC. "Sessional Paper No.2 of 2018- National Ethics and Anti-Corruption Policy". Republic of Kenya. Available at <https://eacc.go.ke/default/document/national-ethics-and-anti-corruption-policy/> (Accessed on 10/3/2022).

¹³ UNODC. "Prevention". Available at <https://www.unodc.org/unodc/en/corruption/prevention.html> (Accessed on 10/3/2022).

Such measures include: adopting effective and coordinated policies against corruption, strengthening the integrity of the public sector, putting in place a fair and transparent system of public procurement, strengthening transparency and public reporting, and establishing integrity in the private sector. Emphasis is on strengthening systems, processes, and procedures used in institutions and entrenching sound and ethical behaviour of individuals in both the private and public sectors.

States around the world have adopted preventive measures to fight corruption. Namibia's corruption prevention strategies were informed by a lack of transparency and accountability in government bodies and the costly nature of law enforcement. The measures included policies, procedures, and regulations; public education targeting the youth; churches; schools; politicians; public office bearers; community leaders; the private sector; and the nation at large. The commitment of the government to implementing preventive measures led to a decline in corruption levels in Namibia.¹⁴ Countries such as Botswana, Chile, Estonia, and Georgia have employed robust preventive measures against corruption, which have resulted in lower corruption. The measures include: reducing corruption opportunities through simplification of processes and cutting red tape; constraining corrupt behaviour by establishing independent judicial systems; ensuring greater transparency and controls in fiscal management; building the prevention capacity of anti-corruption institutions; and enhancing corporate governance and a system of checks and balances for state-owned enterprises.¹⁵

Scholars argue that approaches to fighting corruption are informed by the causes of corruption. The use of law enforcement stems from the view that corruption is a deliberate crime planned, organized, and executed by criminally minded individuals. Law enforcement entails the application of investigative techniques, intelligence and prosecution. This approach is considered repressive, costly, and time-consuming, given the slow pace of judicial processes. Furthermore, the success of law enforcement depends on the independence and strength of the anti-corruption criminal justice system. Besides, in developing countries, anti-corruption agencies are faced with capacity gaps, political interference, and weak laws that render them less

¹⁴ Ihalua, A. N. "Effective measures to prevent and combat corruption and to encourage cooperation between the public and private sectors". Available at https://www.unafei.or.jp/publications/pdf/RS_No92/No92_23PA_Ihalua.pdf (Accessed on 2/3/2022).

¹⁵ Sobrinho, N. and Thakoor, V. "More sand than soil: Sub-Saharan Africa stands to gain more from reducing corruption than any other region". Finance and Development, September 2019. Available at <https://www.imf.org/external/pubs/ft/fandd/2019/09/pdf/tackling-corruption-in-sub-saharan-africa-sobrinho.pdf> (Accessed on 2/3/2022).

effective.

According to Lambsdorf, enforcement may not yield the desired deterrent outcome due to the low conviction rates of criminal cases.¹⁶ He observes that law enforcement proves to be more costly and requires an independent and honest judiciary to adjudicate cases effectively. Furthermore, enforcing the law has a strong dependence on the prevailing political and government support, which can jeopardize effective enforcement and derail the efforts of anti-corruption agencies.¹⁷ Most countries emphasize law enforcement as a strategy to fight corruption. However, corruption is a crisis of great proportion. During the COVID-19 pandemic, global measures to contain the spread of the virus emphasize preventive measures such as vaccination, wearing masks, social distancing, sanitizing, and washing hands. This approach supports the view that in times of crisis, preventive measures work better and are more effective.

Corruption prevention starts with understanding the root causes of corruption. Corruption is caused by failures in institutional governance and the integrity of individuals. The focus is to reduce triggers and opportunities for corruption. In a flood situation, the preventive measure is to establish the cause of the flooding and control it at the source before it causes destruction downstream. Preventing corruption follows a similar approach. It entails strengthening institutional systems, processes, and procedures. Lim examined anti-corruption strategies in Singapore and established that corruption prevention is critical to creating competent and effective public service systems in a country.¹⁸ The rapid development of Singapore is evidence of what corruption prevention can do.

Scholars observe that political will is essential for sustained enforcement of anti-corruption measures. Furthermore, governments have to demonstrate commitment and seriousness in implementing anti-corruption measures in order to build public confidence and achieve results. Most governments in Africa have not put in place measures for longer-term governance improvements and institutional building. Policy reforms that streamline government functions, limit officials' discretionary decision-making authority, and reduce opportunities for corruption have received insufficient attention.¹⁹

¹⁶ Lambsdorf, J. G. "The Institutional economics of Corruption and Reform, Theory, Evidence and Policy". Cambridge, 2007.

¹⁷ Ibid

¹⁸ Lim, V. "An Overview of Singapore's Anti-Corruption Strategy and the Role of the CPIB in Fighting Corruption". Available at https://www.unafei.or.jp/publications/pdf/RS_No104/No104_18_VE_Lim_1.pdf (Accessed on 10/3/2022).

¹⁹ Lawal, G. "Corruption and Development in Africa: Challenges for Political and Economic Change". *Humanity & Social Sciences Journal* 2 (1): 01-07, 2007, ISSN 1818-4960.

Non-state actors such as civil society, the private sector, and the population at large are not active in the prevention of corruption. Without their active involvement, it becomes difficult to win the war on corruption. Non-state actors have the potential to engineer social change that raises levels of awareness, changes attitudes and behaviours, and creates a society that is highly intolerant of corruption. Preventive measures in Africa are not effective because of a lack of an inclusive and participatory approach to prevention.²⁰ According to Mbaku, poorly designed institutional systems and disorganized structures are the reasons behind the high corruption prevalence in Africa. Most government institutions lack the capacity to prevent corruption.²¹

Corruption prevention measures in Kenya

The legal framework for corruption prevention

Corruption prevention is recognized and sanctioned by international instruments, notably UNCAC and the African Union Convention on Preventing and Combating Corruption (AUCPCC), which Kenya signed and ratified. Both instruments emphasize preventive measures, which include: the establishment of anti-corruption bodies; safeguards that promote efficiency, transparency and recruitment based on merit; development of codes of conduct; enhancing transparency in the financing of election campaigns and political parties; and transparency and accountability in public financial management.²²

In Kenya, the overarching municipal law guiding corruption prevention is the Constitution. Articles on ethics and integrity include Article 10 on National Values and Principles of Governance; Chapter Six on Leadership and Integrity, which is the pillar for mainstreaming integrity in leadership and public service; Article 232 on Values and Principles of Public Service; Article 201 on Principles of Public Finance; and Article 227 on procurement of public goods and services, which espouses a procurement system that is competitive, cost-effective, fair and transparent.²³

The EACC Act, 2011, is enacted in accordance with Article 79 of the Constitution. It establishes the Ethics and Anti-Corruption Commission to

²⁰ Ibid

²¹ Mbaku, T.M. "Bureaucratic and Political Corruption in Africa: The Public Choice Perspective". Malabar: Kriag, 2000.

²² UNODC. "United Nations Convention Against Corruption". United Nations, New York. 2004. Available at https://www.unodc.org/documents/brussels/UN_Convention_Against_Corruption.pdf (Accessed on 10/3/2022)

²³ Kenya Law. "The Constitution of Kenya". Available at <http://kenyalaw.org/kl/index.php?id=398> (Accessed on 10/3/2022).

undertake preventive measures against corruption.²⁴ The Leadership and Integrity Act, 2012, is enacted in accordance with Article 80 of the Constitution. It provides mechanisms for implementing Chapter Six of the Constitution. The Anti-Corruption and Economic Crimes Act, 2003, provides for the investigation of corruption and stipulates offences and penalties. The Bribery Act of 2016 obligates public and private entities to adopt mechanisms for preventing corruption and bribery. Sessional Paper No. 2 of 2018 on National Ethics and Anti-Corruption Policy anchors the policy, institutional, legal, and regulatory framework for fighting corruption in Kenya.

Corruption prevention programmes.

Preventive measures provide early warning signals and take a proactive approach to tackle corruption. Longitudinal surveys provide information on corruption trends and are important for formulating targeted programmes against corruption. Preventive measures emerged in 2000 under the Public Service Integrity Program (PSIP) aimed at mainstreaming corruption prevention in the public service.²⁵ Since 2005, the EACC and its predecessor, the Kenya Anti-Corruption Commission (KACC), have implemented preventive measures aimed at increasing accountability, increasing collective action, and establishing an integrity culture.²⁶

Kenya has developed policies and enacted laws which guide corruption prevention. According to UNODC's country review report on Kenya, the National Ethics and Anti-Corruption Policy 2018; and Kenya Integrity Plan (KIP) (2015-2019) have been developed and are operational.²⁷ According to the OCED, there is a strong international consensus that awareness-raising, promoting ethical values, and strengthening systems of institutional governance and accountability are important measures in corruption prevention.²⁸

EACC's strategic plan (2018-2023) identifies preventive measures such as strengthening policies and laws, increasing public education and awareness

²⁴ EACC. "Ethics and Anti-Corruption Commission Act, No. 22 of 2011". Available at <https://eacc.go.ke/default/wp-content/uploads/2018/06/eacc.pdf> (accessed on 2/3/2022)

²⁵ GoK. "Public Service Integrity Programme: a sourcebook for corruption prevention in the public service". Directorate of Personnel Management and Kenya Anti-Corruption Commission, 2003.

²⁶ EACC. "Ethics and Anti-Corruption Commission Act, No. 22 of 2011". Available at <https://eacc.go.ke/default/wp-content/uploads/2018/06/eacc.pdf> (accessed on 2/3/2022)

²⁷ UNODC. "Country Review Report of The Republic of Kenya". Available at https://www.unodc.org/documents/treaties/UNCAC/CountryVisitFinalReports/2019_07_08_Kenya_Final_Country_Report_English.pdf (Accessed on 10/3/2022).

²⁸ OECD. "Prevention of Corruption in the Public Sector in Eastern Europe and Central Asia". OECD Anti-Corruption Network for Eastern Europe and Central Asia, 2015. Available at <https://www.oecd.org/corruption/acn/ACN-Prevention-Corruption-Report.pdf> (Accessed on 10/3/2022).

about corruption, and improving system examination, advisory services, and institutional capacity building.²⁹ Progress made by EACC is assessed on the basis of these measures. The achievements discussed below are based on EACC's published annual reports for the financial years 2016/2017–2020/2021.³⁰ The reports cover preventive measures and the promotion of ethics and leadership. A systems review seeks to strengthen institutional governance and service delivery by eliminating opportunities for corruption. Systems review entails examining and streamlining policies, processes, practices, and procedures of work within public bodies. The objective is to eliminate corruption loopholes and structural weaknesses that undermine institutional integrity. Table 1 provides a summary of systems review achievements from 2018/2019 to 2020/2021.

Table 1: Summary of System Reviews Achievements for 2018/2019 – 2020/2021

S/No.	Activities	2018/2019	2019/2020	2020/2021	Total
1.	Advisories (call in and visit to commission)	-	16	85	101
2.	Analysis of quarterly performance contracting (PC) reports and feedback to institutions	639	529	603	1771
3.	Advisory to Counties	2	3	1	6
4.	Assessment of the implementation of Corruption Eradication Indicator in the PC	26	47	36	109
5.	Corruption Risks Assessments (CRAs)	7	2	4	13

Source: EACC Annual Reports (various).

Overall, in the last five years, EACC has: conducted 69 systems reviews in ministries, departments, and agencies (MDAs) and county governments; provided 3,627 advisories on corruption prevention to MDAs under the public sector performance contracting framework; provided 12 advisories on corruption prevention to county executives and assemblies; provided five advisories to other institutions on the prevention of bribery and corruption under the Bribery Act, 2016; and conducted 123 follow-ups on various

²⁹ EACC. "Strategic Plan 2018-2023". Available at <https://eacc.go.ke/default/wp-content/uploads/2018/12/EACC-Strategic-Plan-2018-2023.pdf> (Accessed on 10/3/2022).

³⁰ See <https://eacc.go.ke/default/Downloads/> (accessed on 2/3/2022).

MDAs and counties to assess the extent of implementation of recommended preventive measures.

Public education and awareness creation are geared toward creating attitude and behaviour change towards a society that is highly intolerant of corruption and unethical conduct. EACC conducts public education and awareness campaigns that target public officers and the general public to mainstream anti-corruption, ethics, and integrity at institutional and grassroots levels. Public education is conducted in collaboration with non-state actors: non-governmental organizations and faith-based institutions. Prevention measures include strengthened accountability and integrity in public bodies, behaviour and attitude change, and improved service provision. In the period from 2018/2019 to 2020/2021, EACC intensified media-based awareness campaigns and reached over 30 million viewers and listeners. EACC trained 156 Integrity Assurance Officers (IAOs); 1,149 members of institutional corruption prevention committees (CPCs); 4,267 state and public officers from national and county governments; and enhanced collaboration and partnership with non-state actors in the fight against corruption. The commission trained 1,617 members of the faith sector, 683 private sector stakeholders and professionals; 1,019 from targeted corruption hotspots; and 25 journalists.³¹

EACC implements a robust school outreach programme that targets learners from pre-primary to higher institutions of learning to inculcate and entrench integrity and ethics among learners and managers. In the period, 286,344 students and staff members were sensitized, and 267 school managers and 100 integrity club patrons were trained. EACC participated in the national curriculum review process that mainstreamed anti-corruption, integrity, and ethics content into the Competency-Based Curriculum (CBC).³²

The challenges of preventive measures in Kenya

Despite the potential of corruption prevention in tackling corruption, it is not high on the agenda of national anti-corruption priorities. The focus is on law enforcement. Leaders and policymakers prioritize jailing big fish over designing nets strong enough to prevent big fish from stealing them. The effects are weak legal and institutional capacity to prevent corruption, lack of commitment of public bodies to comply with prevention standards, a poor attitude and high tolerance for corruption, and entrenched corruption culture. According to Transparency International, a lack of political will is responsible for the failure of anti-corruption reforms. Top leadership commitment is a

³¹ Ibid

³² Ibid

prerequisite for a sustained onslaught of corruption. Power holders must act in the public interest by enacting strong anti-corruption legislation, funding anti-corruption agencies, and changing society's culture.³³ Kiai observes that uncertain and unpredictable political will is responsible for failed anti-corruption measures in Kenya.³⁴ According to Akech, there is a widespread perception that Kenyan legislators are corrupt and lack the will needed to fight corruption, and the resultant effect is weak anti-corruption laws, state capture, an entrenched culture of corruption and an inability to advance and protect the public interest.³⁵ A weak prevention enforcement mechanism is another challenge. Scholars observe that a lack of mechanisms for enforcing preventive recommendations hampers EACC's effectiveness.³⁶

Inadequate financial capacity and budget constraints are major challenges affecting the implementation of anti-corruption measures. Injene and Ngahu observe that budget allocation to EACC are not adequate to implement its mandate countrywide, particularly the EACC expansion strategy and capacity development.³⁷ The UNODC, in its review of Kenya on the domestication of preventive measures and asset recovery, noted that EACC requires adequate financial and human resources and guarantees for its operational independence.³⁸ Furthermore, weak collective action against corruption hampers citizen participation in the fight against corruption. The role of collective action, and in particular, the role of non-state actors working in collaboration with states, is a globally recognized strategy in the fight against corruption. Non-state actors (NSAs) include the private sector; non-governmental organizations

³³ Kukutschka, R. M. B. "Building Political Will Topic Guide". Transparency International Anti-Corruption Helpdesk, 2014. Available at https://www.transparency.org/files/content/corruptionqas/Topic_Guide_-_Political_Will.pdf (Accessed on 10/3/2022)

³⁴ Kiai, M. "The War Against Corruption in Kenya". Open Society Foundations, November 7, 2010. <https://www.opensocietyfoundations.org/voices/war-against-corruption-kenya> (Accessed on 10/3/2022).

³⁵ Akech, M. "Abuse of Power and Corruption in Kenya: Will the New Constitution Enhance Government Accountability," *Indiana Journal of Global Legal Studies*: Vol. 18: Iss. 1, Article 15, 2011. Available at: <https://www.repository.law.indiana.edu/ijgls/vol18/iss1/15> (Accessed on 10/3/2022)

³⁶ Ayodeji, G. "Assessing the Strategies of the Defunct Kenya's Anti-Corruption Commission (KACC): Lessons for the Ethics and Anti-Corruption Commission (EACC)". August 1, 2015. Available at SSRN: <https://ssrn.com/abstract=2638761> or <http://dx.doi.org/10.2139/ssrn.2638761> (Accessed on 10/3/2022)

³⁷ Injene, G. K. and Ngahu, C. "Challenges Faced by the Kenya Ethics and Anticorruption Commission in implementing the Strategies Recommended by United Nation Convention against Corruption in Kenya". *European Journal of Business and Strategic Management* ISSN xxxx-xxxx (Paper) ISSN 2518-265X (Online) Vol.1, Issue 1 No.1, pp 88-99, 2016.

³⁸ UNODC. "Country Review Report of The Republic of Kenya". Available at https://www.unodc.org/documents/treaties/UNCAC/CountryVisitFinalReports/2019_07_08_Kenya_Final_Country_Report_English.pdf (Accessed on 10/3/2022).

(NGOs); community-based organizations (CBOs); trade unions; federation of employers; powerful individuals; multinational corporations (MNCs); academia; women's and youth groups; and religious institutions.³⁹

Civil society has faced a number of challenges, including fear of reprisals and conflict of interest in naming and shaming the corrupt; a tendency to take ethnic and sectarian positions on issues of national concern such as corruption and elections; heavy dependence on donor support, leading to biases in accountability; and weak linkage with academia. This has affected knowledge and experience sharing on governance issues. In a nutshell, the key issues affecting collective action against corruption in Kenya are the fragmentation of NGOs and civil society; poor cooperation among non-state actors; weak financial base for civil society; the inadequate flow of information among stakeholders; weak organizational skills; lack of democratic culture; and public apathy towards corruption.⁴⁰

Conclusion and Recommendations

Corruption prevention is gaining traction in Kenya despite the priority being placed on law enforcement. It is a sustainable and effective way to tackle corruption. Preventive measures implemented include systems reviews of public bodies; provision of advisories; public education; training; and awareness of the public and public officials. Weak enforcement mechanisms, inadequate resources, and weak collective action hamper the prevention of corruption in Kenya. For Kenya to succeed in fighting corruption, it must place corruption prevention at the top of the agenda of policy action. Preventive measures should be central to institutional reform and social engineering. A whole-of-government approach should be adopted for corruption prevention. A sanctions regime and incentive system should be in place for the leadership and top public officials to adopt preventive measures.

The government of Kenya must take deliberate steps to securitize corruption prevention. First, it should strengthen corruption prevention laws to ensure that institutional leadership takes responsibility for failure to prevent corruption in the public sector. Second, anti-corruption agencies responsible for corruption prevention, particularly EACC, should be well-resourced and capacity-built to prevent corruption effectively. Third, and finally, corruption

³⁹ Bachore, A. B. "The Role of Non- State Actors in Promoting Good Governance: The Case of Kenya". GJ: Volume 8, Issue 8, pp 570 – 574, August 2020, online: ISSN 2320-9186. https://www.globalscientificjournal.com/researchpaper/The_role_of_Non_state_actors_in_promoting_good_governance_in_kenya_.pdf (accessed on 6/2/2022).

⁴⁰ Ibid

prevention requires the involvement of all actors, including non-state actors, for the war on corruption to be won. The government should take deliberate steps to mobilize non-state actors through collaboration and partnership for effective collective action against corruption.

Part 4

Conflict Management & Resolution

WHY MARITIME DISPUTE BETWEEN KENYA AND SOMALIA

Col Joel M M'Arima SS 'psc' (K) -

Abstract

Somalia and Kenya are two countries that border each other, but they have had strained relations. Kenya and Somalia contend over a natural resource-rich offshore area of the Indian Ocean. Therefore, this study identified the factors that could have influenced this dispute. This paper specifically tried to answer the following questions; how did development factors influence the debate, and what role did various actors play in influencing the conflict to arise? The study established that the critical development factors that have led to the dispute include the development partners, interests of clan leaders, multinationals and geopolitical actors, and the influence of the Somalis in the diaspora. The strategic interests impede the possibility of the two states settling the dispute outside the International Court of Justice (ICJ).

Introduction

Kenya and Somalia are contesting over a 100,000 square kilometres offshore area. Kenya claimed sovereignty over this area following the 1979 decree of border demarcation when the two states signed a Memorandum of Understanding (MOU) that gave Kenya Jurisdiction over the place. However, in 2014, a dispute began as Somalia took the case before the International Court of Justice (ICJ), claiming that Kenya was encroaching on its territory. Somalia wants the ICJ to define the boundary, but Kenya's stand is that the 1979 decree applies.¹ The contested region has vast fish and hydrocarbon resources. After decades of Somalia respecting the maritime boundary, the 2014 decision to ignore Kenya's sovereignty and ignite a dispute between them was influenced by development ambitions and external actors who have a say in its development landscape. The study is guided by the neorealism theory, which defines power as an essential aspect of relations between states. It also explains that national interests can influence a state's behaviour.

¹ Mumma-Martinon, C. A. "Kenya-Somalia Maritime Territorial Dispute: Why Somalia Took Kenya to the International Court of Justice, Advantages, Limitations and Existing Modes of Peaceful Settlement?" Master's thesis, University of Nairobi, 2019.

Blue Economy Potential of Disputed Area

Kenya and Somalia are disputing over an area of the Indian Ocean that, apart from being a rich fishing ground, also has prospects for colossal oil and gas deposits. The blue economy potential of the region is integral to Somalia's plans for achieving sustainable development goals (SDGs). According to Owuor, Somalia's Petroleum Act of 2020 and Somalia's National Development Plan (SNDP) mention that the exploration of hydrocarbon resources is crucial to the achievement of SDGs.² These include promotion of economic growth, improving health and well-being of the people, tackling widespread poverty and hunger, provision of decent work, and quality education for the youth.

Somalia, a country with a population of 15 million, is one of the most impoverished countries in the world. After the collapse of the government in 1991, a civil war ensued, which led to the devastation of public institutions, infrastructure, and the economy.³ Somalia has emerged as Africa's most violent state as the last two decades have been marked by conflict and warlordism. Armed groups such as the Al-Shabaab have taken advantage of the country's weak central government to seize large territories. The state fragility has contributed significantly to the lack of development in this country. Its latest development plan includes exploring the country's petroleum potential. Therefore, it is not surprising that Somalia is laying claim over the area in the Indian Ocean because of the potential it holds in financing its development plans. Somalia authorities expect that revenues from the petroleum sector will be helpful to improve this country's economic resilience, rebuild state institutions and help reduce poverty.

The Development Partners' Influence in the Dispute

Somalia is one of the countries on the United Nations list of the least developed countries in the world. Because of its economic position, it is also a heavily indebted country to its development partners, supporting its projects spanning budgetary and financial reforms, livelihood, health, energy, transport, and agriculture.

² Awuor, Michael. "Development Factors Influencing the Kenya-Somalia Maritime Dispute." *The Global Center for Policy and Strategy*, (2021) P.1

³ Desai, Raj M. "Somalia's Path to Stability." Brookings. Last modified October 2, 2019. <https://www.brookings.edu/blog/future-development/2019/10/02/somalias-path-to-stability/>.

The partners include the World Bank Group, International Monetary Fund, African Development Bank, and the European Union. The country's portfolio to the World Bank is about \$1.17 billion, which was provided to support 16 projects.⁴ Somalia owes the African Development bank \$298 million. The increased debt obligations of this country to the development partners is one of the reasons for the oil rush, including the relentless pursuit for the Exclusive Economic Zone in the Indian Ocean, even when it means cutting diplomatic relations with Kenya.

The development partners are also responsible for influencing the Somalia authority to develop Petroleum Act 2020. They also proposed and sponsored the auctioning of the contested oil blocks during an oil exploration exhibition held in London. This action exacerbated its dispute with Kenya. Thirty-five per cent of the humanitarian aid that Somalia has received is from the European Union and its member states.⁵ The funding supports projects for providing the people of this country with clean water, health and nutrition services, education, shelter, and protection. According to Owuor, the European Union is not interested in this country's petroleum sector. Still, member countries like Italy, France, and the Netherlands do.⁶ Their extensive aid to Somalia influenced this country's decision on oil exploration and its dispute with Kenya.

The Influence of Somalis on Diaspora

The influence of diaspora Somali on the development agenda of the country further complicates the maritime dispute between

Kenya and Somalia. The majority of the leaders in Somalia hold dual citizenship, and because of their conflicting allegiances, it becomes challenging to settle the maritime dispute. Even the President of Somalia had dual citizenship but had to give up his US citizenship because of criticism that he was not loyal to his country. The majority of leaders in this country, including parliament and cabinet members, have Diaspora experience, which places them in a position to influence the development plan, including the maritime dispute. Because of sympathy for their country and their interest in seeing it develop, they agree with the decision to take Kenya to the ICJ, backed by support from foreign actors.

⁴ World Bank Group. "Overview." World Bank. Last modified 18, 2021. <https://www.worldbank.org/en/country/somalia/overview#2>.

⁵ European Commission. "Somalia." European Civil Protection and Humanitarian Aid Operations - European Commission. Last modified June 28, 2021. <https://ec.europa.eu/echo/where/africa/somalia>.

⁶ Awuor, Michael. "Development Factors Influencing the Kenya-Somalia Maritime Dispute." *The Global Center for Policy and Strategy*, (2021) P.5

Diaspora Somalis' extensive technical and financial contribution to their country gives them power in the development plan and politics. The UN estimates that Somalia receives approximately \$1.6 billion in remittances annually sent by emigrants living in Europe and North America.⁷ The amount makes up a significant proportion of the country's Gross Domestic Product. The huge remittances led the government to create the Office of Diaspora Assistance, which has coordinated the maritime dispute and other activities on development. The diasporas are the forefront antagonists in Kenya's interests to establish a peaceful coexistence with Somalia.

The influence of Clan Leadership

The clan leaders in Somalia are powerful gatekeepers who approve the state's development plan, including influencing its decision on the maritime dispute. Because of the conflict in this country, several areas in Somalia have not had the leadership of government agents for a long time. In these areas, they are led by non-state actors who also influence the state institutions and their decisions.⁸ The most influential clan leaders are those leading significant clans, and their leadership has strengthened over the years because of a lack of government leadership. The clan leadership has also been the cause of the development of clan militias who have to approve development projects, and they also help clan leaders control regions. These leaders support the dispute because they anticipate a trickle-down of resources to the clans. This means that the clan militias would have more resources to expand their youth recruitment engagement, thereby expanding their territory of control. However, some of their activities work against the sustainable development plans of the government. For instance, extortion exacerbates poverty and inequality in the country.

Interests of Geopolitical Actors and Multinational Companies

Multinationals and geopolitical actors dominate Somalia's hydrocarbon sector. Their contribution to some areas of development in this country complicates the maritime dispute. Already some of them have paid vast amounts of money to the Somali government as exploration fees. For instance, between 2015-2017,

⁷ United Nations. "Somali Diaspora's Remittances Cast a Lifeline." Africa Renewal. Last modified February 11, 2013. <https://www.un.org/africarenewal/web-features/somali-diaspora%E2%80%99s-remittances-cast-lifeline>.

⁸ McCullough, A., and M. Saed. "Gatekeepers, Elders and Accountability in Somalia." Odi.org. Last modified December 2017. <https://odi.org/en/publications/gatekeepers-elders-and-accountability-in-somalia/>.

the finance ministry received approximately \$1.35 million from Spectrum oil corporation. Somalia had also received \$1.7 million from Shell-ExxonMobil as a prepayment for five oil blocks. Countries such as Turkey and the United Arab Emirates have also carried out several developments and infrastructural projects in Somalia, such as military training, debt relief, airport, road, and sea development, to mention a few.⁹ These have been provided with the promise from Somalia to explore its petroleum resources. The desire to meet the interests of all these actors is instrumental in Somalia's decision to present the dispute to the ICJ with the expectation the ruling will favour it.

Conclusion

The analysis has focused on showing that it is the development ambition of Somalia and the influence of external actors who have contributed to this country's development that led Somalia to kindle a dispute with Kenya over an offshore area that for the past four decades has been under its jurisdiction. To finance its development projects, Somalia is eyeing the fish and hydrocarbon resources in this offshore area. Also, the country's development partners, its citizens living abroad, and the clan leaders have influence in this country's development, and so they supported Somalia to present Kenya to the ICJ. Several multinational and geopolitical actors have also influenced the dispute. Many of them had already invested in Somalia's development. Others had paid fees for hydrocarbon exploration, so the state is obligated to meet their interests in its petroleum sector.

⁹ Awuor, Michael. "Development Factors Influencing the Kenya-Somalia Maritime Dispute." *The Global Center for Policy and Strategy*, (2021) P.5

MILITIA USE IN COUNTER INSURGENCY: THE GREAT LAKES REGION

Col Jeremiah S Koikai 'psc' (K) – Kenya Army

Abstract

Conflicts in the Great Lakes region are complex, dynamic, and involve multiple interconnected regional and international actors. Although conflicts primarily tend to be intrastate due to strong cross-border dimensions and transnational ethnic identities, these conflicts have often spread to destabilize the entire region. Poor governance, economic mismanagement, debt burdens, and collapse of social services have been negatively attributed to a state's inability to provide basic needs and security assurance to its citizens and their property. This, therefore, creates loopholes for the illegal small arms and light weapons (SALW) trade, as it becomes a source of monetary income. This creates a conducive environment for conflicts in the region due to armed groups that end up threatening legitimate governments. Intrastate and interstate complex situations lead to most governments' coopting use of militias to pacify affected areas. This article will focus on the reasons for the insurgence of groups in the region, what the military challenges are, why governments turn to the use of militias in counterinsurgency operations, and the preference of the military for militia use against insurgencies that blossom in such environments. The study is based on Mary Kaldor's (1999) theory of new wars, which provides a comprehensive analysis of modern wars.

Introduction

Military organizations operate today in hybrid war threats, with wide global connections and embedded in the local populations that require interaction with other government agencies and civilians. Notably, the military approach to security has had to adjust accordingly in response to emerging global security challenges. The most enduring contemporary challenge to security today is terrorism. This article looks at the vulnerability of the Great Lake region to insurgence groups and attempts to better understand why governments turn to the use of militia in counterinsurgency operations. A pro-government militia (PGM) is generally an armed fighting group, in most cases, embedded in the local population, mostly residents of a country or citizens of a state, who may be co-opted by military forces to perform service during a time of need. Militias are frequently used to assist regular troops in suppressing insurgencies

through offensive action. Militias are employed for a given period of time or specific operations mostly within their home region. It can be trained or recognized by a government and rebel factions, or it can develop as an opponent to both. This article is divided into four sections that focus on the militia used as a state instrument to defeat the insurgency. The causes of insurgency groups in the Great Lakes Region; military challenges in counterinsurgency; why do governments resort to militia use; military preference over militia; and conclusion.

Reasons for insurgent groups in the Great Lake Region

The term 'Great Lakes Region (GLR)' is attributed to freshwater lakes Victoria and river basins in the eastern and central parts of Africa. These nations are specifically Rwanda, Burundi, Democratic Republic of the Congo (DRC), Uganda, Tanzania, Zambia, Republic of Congo, Central African Republic (CAR), South Sudan, Kenya, and Sudan. The region constitutes a combination of states with common interests and socio-cultural, economic, and political ideologies.¹ The countries are also regionally bonded together, with a problem affecting one state becoming a common fundamental security concern as it may destabilize the entire region. Most of the states' nation-building challenges are attributed to the post-colonial era. Bad governance and insecurity have contributed to conflicts across the region over the past two decades and the existence of over 70 insurgent (rebel) groups operating in the region. The ease of availability of small arms and light weapons (SALW) as primary tools of violence has greatly fueled conflicts and the existence of armed groups. Insecurity in the region continues to threaten democracy and stability, negatively impacting economic growth.² It's estimated that the cost of conflicts in African economic development between 1990 and 2005 was over \$300 billion.

Most countries recognize the negative effects and danger of illegal arms on their national security. Due to this, GLR states in 2004 signed legally regional binding conventions and protocols in Nairobi on SALW control. Even with efforts through regional trading blocs and international community initiatives, success is yet to be achieved due to most governments' inability to enforce control mechanisms to discourage the illegal arms trade across the region.³ This issue of SALW has far worse-reaching implications with the emergence

¹Khadiagala, G. (2006) *Security Dynamics in Africa's Great Lake Region*. London: Lynne Rienner.

²Christopher Andrew, *For the President's Eyes Only*: New York: HarperCollins, 1995, pp. 483-484; Wilkinson, *Terrorism Versus Democracy*, p. 129

³<https://www.academia.edu/12091358>

of terrorist groups like Al Shabab and other groups with terrorist connections.

Military challenges in counterinsurgency

“Command is the authority a member of the armed forces lawfully exerts over subordinates by virtue of his rank or appointment. The commander is therefore responsible for initiating appropriate actions and for supervising all activities within his command.⁴ Operational thinking is both a foundation and a framework for developing the operational vision that, is the commander’s ability to correctly predict the flow of events until the ultimate goal of a major operation or campaign is reached.⁵ The key to success is to operate within the enemy’s decision cycle. Without this ability, the operational commander cannot take and maintain the initiative, and without this initiative, his freedom of action is severely limited by the adversary.⁶

Counterinsurgency warfare is complex as it involves multiple interconnected regional and international actors. This, therefore, impedes effective and efficient military freedom of action that is key in dominating operational theaters to limit the enemy’s freedom of action. This becomes even more difficult when citizens of a country share natural resources and social-cultural language and are strategically located at the crossroads of countries or territories with terrorist or subversive activities. A good example is the Lord Resistant Army (LRA) operating in the cross-boarder of Uganda, DRC, South Sudan, and Rwanda, and Al-Shabaab operating in Kenya, Somalia, and Ethiopia. This makes military command decisions that are frequently required within moments difficult, as the impact might have devastating results. The military, therefore, finds itself in a complex situation of trying to pacify its citizens and at the same time accomplish its primary role, which is to protect state territorial integrity without failing both as well as maintain its image nationally and internationally.

Why do governments turn to militia support?

Most governments leverage militias when faced with challenging situations. One, citizens of a country share natural resources and social-cultural language and are strategically located at the crossroads of countries or territories where subversive activities take place. Two, where clandestine and subversive activities by citizens or groups try to bring change to the government by force. Three, where a country’s security agencies are incompetent or overwhelmed

⁴ Dettmer, Jaimie. Al-Shabaab’s jihadi recruitment drive in Minnesota, the daily beast, 2013. p.15

⁵ Operational Vision- An Essential Trait for Army Operational Commanders: date 10/05/1991

⁶ <https://www.academia.edu/6235442>

by other security operations, and lawmakers believe the militia can be used to support the military as a force multiplier,

In most cases, militias are not used in isolation but rather alongside government security agencies as part of a civil-military strategy. Their continuous existence in the communities and collaboration with the local society give them a leverage advantage over government intelligence agencies' ability to effectively penetrate insurgency-controlled areas.⁷ Further militias can be successfully used in the containment and protection of the local population in the affected areas by conducting patrols and minor offensive operations. Historical evidence suggests that most countries all over the world have resorted to the use of militias to counterinsurgency with mixed outcomes. Rwanda coopted Rally for Congolese Democracy (RCD) in the GLR to counter Rassemblement Démocratique pour le Rwanda (RDR) rebel subversive activities in DRC. Used Local Defence Units (LDU) in the Katakwi District against Karamojong raids in 2003. Sudan used Janjaweed to fight rebel groups such as the Sudan Liberation Movement (SLM) and the Justice and Equality Movement (JEM) in Darfur.

In the Fight against Insurgency, the Preference of the Military to Militia

The study observes that the military is the most effective way to combat and the best means to degrade insurgency. The insurgent groups use crude weapons and means, which require proportionate military capabilities to effectively defeat their dreadful acts. Intelligence gathering and surveillance have been key strategies used by the military in countering insurgency or terrorism. Africa, through its military forces, has fought insurgency wars through its well-established intelligence and surveillance systems. The intelligence service has been recognized internationally as one of the most effective systems of government to counter insurgency in Africa and elsewhere in the world.

However, militias regularly helped state forces defeat insurgent groups, but at great cost, as other militias turned against government forces or issued high demands and sometimes ended up with breakaway autonomous regions. If left unchecked, the militia can grow to be influential and powerful, directly threatening the central government.⁸ Some evaluations even conclude that militias "generally pursue" the removal of all remnants of central government

⁷ Clark, David J. *The Vital role of intelligence in Counterinsurgency Operations*. Army War Coll Carlisle Barracks PA, 2006.

⁸ Smith, James H. "Tantalus in the Digital Age: Coltan ore, temporal dispossession, and "movement" in the Eastern Democratic Republic of the Congo." *American Ethnologist* 38, no. 1 (2011): 17-35.

within the regions they dominate, fueling the clashes instead.⁹ A good example is the Janjaweed and Marahleen in Darfur in Sudan. Governments must therefore implement strict control mechanisms to limit militia power and ability to raise against government forces, as well as limit atrocities against civilians that could destabilize local support.

The vital characteristic of the state is that it exercises ultimate supremacy of power through physical force within a given territory.¹⁰ Lasting peace, this study implies, is necessary for an effective and stable state. A proficient and capable military force with the ability to undertake its core mandate is therefore mandatory.¹¹ As a result, governments should focus on modernizing, training, and establishing an effective and credible military, intelligence, and police force.

Conclusion

In most cases, communities, where states have used militias to further military operations are left resentful of their own government. They always have the feeling that they were forcefully made to submit to government authority while the government itself was unable to effectively protect them, resulting in the use of militia. Militia appears to take credit for such operations, and where foreign or allied forces are used alongside government forces to restore peace, the peace is usually brief. The study concludes that the major areas where defense forces have been used successfully in counterinsurgency operations in the Kenyan context are Mount Elgon against Sabot Land Defence Force (SLDF) and operations in Lamu against Mombasa Republican Council (MRC). The military involvement, in most cases, results in reduced insurgence incursions and guarantees lasting peace through the dominance of the liberated area in a peaceful and friendlier atmosphere. The military also maintains respect and dignity in their role as protectors of the territorial integrity and sovereignty of the state.

⁹ Tsedalu, Desta. "Militia and Local Security: A Case Study Oftach Gayint Woreda, South Gondar, Amhara Regional State." PhD diss., 2019.

¹⁰ Weber, Max. *From Max Weber: essays in sociology*. Routledge, 2013.

¹¹ Dawson, Mark, and Floris De Witte. "Constitutional Balance in the EU after the E uro-Crisis." *The Modern Law Review* 76, no. 5 (2013): 817-844.

THE HUMAN-WILDLIFE CONFLICT IN EAST AFRICA- THE CROCODILE EXPERIENCE IN UGANDA

Col Michael W Hyeroba - Uganda People's Defence Forces

Abstract

The perception of communities dwelling in the areas in proximity to the gazetted wildlife conservation sites is an important yet, in most cases, the unattended possibility for optimal conservation strategies in the modern times of human-wildlife conflict, which is increasingly becoming common in the world, particularly in Africa and indeed in Uganda, and which is aggravated by the ever-increasing human population, which currently puts enormous amounts of pressure on land for settlement, agriculture, and mining, among others. The crocodile is one reptile that causes human-wildlife conflicts when it comes to killing the man and his domestic animals in communities that live close to water bodies, which are the main natural habitats for the crocodile. Man's interface with the water bodies is for survival purposes. Economic activities like fishing, sand mining, and as a mode of transport are inevitable and just to be made non-confrontational but mutually beneficial. Human interaction with crocodiles has always been tough, but it has of late become significant and worthy of analysis because of the very nature of interactions; the number of humans and domestic animals and the crocodiles that pay the ultimate price of life as a result of these interactions are unprecedentedly high but just need to be controlled so that harmony prevails. Many remedial measures like the use of wildlife conservationists in all these crocodile habitat areas like rivers and lakes can sensitize humans to avoid creating conditions for the human-wildlife conflict to continue to be perpetuated.

Questions

- a. What are the causes of human-wildlife conflict?
- b. What are the remedial measures?

Theoretical framework

This article is anchored on the social representation of nature, which postulates that the way they communicate about their nature management affects the attitudes of the social groups that interact with the institution and the physical nature.

Conflict is the lack of agreement, which can be a state of mind when a person experiences opposing ideas or requirements, interests, and maybe enormous anal, racial, interests, politics, or internal politics.¹ Therefore, the human-wildlife conflict, in my view, is the disagreement between humans and wildlife over interests.

Understanding the human-wildlife conflict: has become a matter of worldwide concern because of its effect on wildlife conservation. This happens as a result of wildlife attacking humans, eating up crops, and domestic animals. In turn, man fights back, killing the wildlife. In most cases, people prone to this are specifically those that share the immediate neighborhood with gazetted conservation sites like national parks, game reserves, and zoos. It is a common phenomenon world over.²

The ever-shrinking natural resources have been associated with human activities by way of exploitation, destruction of dwelling places, contamination following the bringing in of non-native species, and on the other hand, the indigenous people view wildlife as a liability to them.³ This view is always awakened by the bitter experience they have had due to the losses made real to them by wildlife conservation, which losses may include damage to crops and other properties, the inability to access legitimate and traditional rights, coupled with the risks to which people's lives are exposed to diseases by wildlife.⁴

The trends in human-crocodile conflicts worldwide

Crocodiles are carnivorous reptiles of the order crocodilian, and they are the largest animals in the phylum chordate and class reptilian, which includes lizards, crocodiles, and snakes⁵ exist in a wide range of dwelling places in Africa that include lakes, rivers, and freshwater swamps. They tolerate a wide range of dwelling places like fast-flowing rivers, swamps, dams, small brackish streams, tidal lakes, and even estuaries.⁶ These animals are efficient colonizers of suitable habitats and are one of the most dangerous predators commonly found outside protected areas in most countries. Their amphibious nature

¹ MCGREGOR, JOANN: *crocodile crimes: people versus wildlife and the politics of post-colonial conservation on lake kaliba* 2005

² O'CONNEL-RODWELL et al., *living with the modern conservation paradigm: can agricultural communities co-exist with elephants* 2000

³ CLARK, S.R.I *the immortal status of animals* London Clare dons press. (1997)

⁴ CONOVER: *resolving human wildlife conflicts*. 2001.

⁵ C, R, S PITMAN "about crocodiles" *'the Uganda journal*, 9, 1941, p.89.

⁶ LESLIE, A.J *the ecology and physiology of the Nile crocodile-crocodylus niloticus in lake st Lucia south Africa* 1997

and cryptic behavior enable them to move freely and remain undetected even in densely populated areas⁷, thus making surprise attacks on humans and livestock possible. Crocodiles are blamed for causing problems for humans and livestock, and they probably cause more human deaths than any other wild animal known in Africa and indeed the world.⁸

While most crocodile attacks occur in Africa, Australia, and the Southern USA⁹, crocodile attacks have been reasonably documented in developed countries in the last few decades, and no civilized man would tolerate these attacks.¹⁰ Crocodiles caused 494 attacks which resulted in 285 fatalities worldwide in areas of East Timor, Sumatra, East Kalimantan of Indonesia, Sarawak of Malaysia, Orissa of India, and coastal Sri Lanka. *Crocodylus niloticus* caused 428 attacks, of which 309 were fatal. In India, crocodile fatalities were reported, especially in Gujarati state, which caused 98 attacks, of which 50 were fatal. Other attacks were reported as follows: 69 attacks resulting in 13 fatalities for *Crocodile acutus*. The problem areas were the Pacific coast of Mexico, Costa Rica, and Panama. 36 attacks resulting in 09 fatalities for *Crocodile melanosuchus*. Niger from Brazil's Amazonas.¹¹ In contrast, despite having the highest frequency of crocodilian attacks, attacks in developing countries are typically under-documented.¹²

Available reports suggest that human-crocodile conflicts are not only more prevalent than elsewhere but, in some cases, may represent a growing threat to rural livelihoods and development.¹³ During the time between 2002 to 2008, a total of 347 people in Zambia were mauled by five species of wildlife; crocodiles, elephants, hippos, lions, and buffalo, of which the Nile crocodile mauled a huge number of people, 185 (53% of the fatalities) and is the highly notable cause of the human fatalities.¹⁴ Many deaths go unreported simply because it is difficult for many people to get to government offices to report them; an estimated 300 people are killed each year in the country.¹⁵ Local

⁷ POOLEY, A.C. *the status of the African crocodiles in the 1980* in crocodiles IUCN publication Gland Switzerland 1982

⁸ KYALO: the fear and hate for the for the crocodile stemmed from it man eating activities which European travelers ,traders,missionaries,and colonial administrators described as glowing ,horrid and lurid terms2008

⁹ CHOMBA et al.,*patterns of human wildlife conflict in Zambia*2012

¹⁰ POOLEY,A.C. HINES,T.&SHIELD,J.Attacks on humans in crocodiles and alligators, 2nd edition ed C.A.Ross,pp172-187: 1992

¹¹ ibid

¹² MBULI,Z: *man eating crocs spread fear natal witness* October 1998

¹³ MCGREGOR: *crocodile crimes: people versus wildlife and politics of post-colonial conservation on lake kaliba* 2005

¹⁴ CHOMBA et al.,*patterns of human wildlife conflict in Zambia* 2012

¹⁵ FAO, food and agricultural report 2009

rangers reported 157 crocodile mauls on humans and livestock in registered conservation sites in the Caprivi region in 2005.¹⁶ Crocodile bites are also a major threat to the southern Malawian population, especially among those who live near the Shire River. In 1998, 60 patients over 4 years of age were admitted to the Trinity hospital in the Nsanje district of southern Malawi after sustaining crocodile bites.¹⁷

He also said people, particularly women and girls, fall prey when fetching water for domestic use, suggesting a need for the government to provide piped water to the villages close to the river. This came a few days after the crocodile mauled and ate a pregnant woman when bathing on the shores of Lake Tanganyika in western Tanzania's region of Rukwa.¹⁸

Incidents of crocodile attacks on human beings in Uganda

The only crocodile native to Uganda is *Crocodilian niloticus*, which exists in many water bodies, common among which are the lower Semuliki valley, Lake Albert and the Albert Nile, Lake Victoria, and Lake Kyoga, and many other small lakes such as Nakivali, Kagera, and Kijanibalola. Crocodiles can be found throughout northern Uganda, including the West Nile, Acholi subregion, and Karamoja districts, where there are large enough water bodies to support the crocodiles' livelihood. Several water dams in northern Uganda support a sizable crocodile population."¹⁹ It astonishes us to see us wasting precious time only to discuss the man-mauling reptile," said C.R.S. Pitman, then Uganda's chief game warden, in a 1941 address to the Ugandan society".²⁰

The Uganda Wildlife Authority was contacted after a Crocodile devoured a fisherman on Lake Albert.

The crocodile was one of the most conspicuous natural creations in Uganda even in the early days of explorers and was commented on by Baker, Speke, and Burton. Until the 1920s, the crocodile was, by and large, an undisturbed creature. Specialized hunting squads combed the lake during egg-laying periods, demolishing nests and clearing up eggs.²¹

The extermination was primarily due to the upcoming gill net fisheries on the waters of Lake Victoria, which system had just been introduced in 1908 and by 1928 a massive gill net was in existence. The large population of these reptiles made gill net fishing untenable as the reptiles could destroy the nets as

¹⁶ FAO, food and agricultural report 2009.

¹⁷ Ibid.

¹⁸ MCGREGOR: *management practices and strategies for human-wildlife conflicts*. 2005

¹⁹ C.R.S PITMAN "about crocodiles" *the Uganda journal*, 91941, p89.

²⁰ Ibid

²¹ RHODES, D.H: *back ground to Uganda mimes* Uganda fisheries society department library (undated)

they picked up trapped fish.

The number of Ugandans being attacked by crocodiles on river and lake shores has increased as people move closer to the water bodies in search of lively hoods. Within the past twelve months, approximately one hundred people have been killed by crocodiles, though environmentalists believe the figure could even be higher since most cases may not have been documented.

Perigo Masika, a 36-year-old mother of four, was dragged into the waters of Lake Edward in western Uganda last Wednesday and mauled by a crocodile as she went to fetch water. The village councilor, Eriya Mwoghwa, confirmed the crocodile attack but quickly blamed it on the Uganda wildlife authority for her failure to cage off the water points as a means of protecting the locals with their domestic animals. As a result of increased human population and consequently human activities, swamps have been destroyed for settlements, which used to act as buffer zones between the lake and the villages so that people could continue to fetch water from wetlands that were covered by papyrus. Now they get water directly from the lake, thus exposing their lives to the hunting crocodiles along the shores of the water bodies. As a result, the crocodile suspected of mauling four people was gunned down in the Mayuge district on the shores of Lake Victoria.²²

Measures used by communities and institutions to mitigate conflict

Crocodile farming has become a lucrative and rewarding activity financially, as a source of proteins in Zimbabwe by providing meat for human consumption and skins for the luxury leather industry, thus giving value to the otherwise unfriendly animal. The rearing of crocodiles has another positive effect on the conservation of the species in the wilderness and reduces the number of crocodiles that may otherwise be out there causing harm to the communities around them. In Uganda, there is a crocodile farm at Buwama situated in the Mpigi district 70 kilometers from Kampala city. It's one of the places in the country where crocodiles can be done. However, they are mostly kept on this farm for meat and skin export to Korea. Crocodiles, when tamed, can be of great economic value, but when left in the wilderness, they eat everything that has blood, since they are carnivorous reptiles. These have helped, in addition to the efforts by Uganda wildlife authorities to always respond to reports by the locals to recover crocodiles that have strayed into the communities before or even after attacking human beings and livestock.

²² RWETSIBA & NUWAMANYA e *aerial surveys of Murchison falls protected areas, Uganda march 2010*. *pachyderm* 47:118-123)2010.

Recommendations

To reduce these conflicts, there is a need for good wildlife extension strategies that aim to change people's attitudes, which can be done through education and ensuring those affected communities benefit from proper wildlife management. Harmonization and land use can play a vital role in effecting more positive outcomes of the human-wildlife conflict.

It is also proposed that the communities living in areas prone to these human-wildlife conflicts should be encouraged to engage in zero-grazing so that hay and water are provided to the domestic animals inside the feeding station to reduce the competition for resources between livestock and crocodiles, thus stemming the spread of diseases.

It is recommended that the communities near areas prone to crocodile attacks be provided with alternative sources of water to lessen the chances of becoming crocodile victims.

Conclusion

Crocodiles are a global problem, as evidenced by data collected around the world, but they are especially prevalent in Uganda, where they have existed since colonial times. following the above revelations, one can foresee a bigger human-crocodile conflict that needs a multinational approach in nature, requiring concerted efforts from all peoples of the world to find a lasting solution to this problem with increased human activity pressure on the wildlife conservation areas.

HUMAN ELEPHANT CONFLICT IN BOTSWANA

Col Kebonyeone D Tsie – Botswana Defence Forces

A conflict may be loosely defined as a struggle or contest between two or more people with opposing needs, ideas, beliefs, values, dreams, or goals.¹ Human and wild animal conflicts are a growing problem in the twenty-first-century world and could morph into a significant threat to human and wildlife populations.² Human-wildlife conflicts are a serious concern all over the globe as they impact negatively the success of conserving wildlife.

According to the International Union for the Conservation of Nature (IUCN) and the World Parks Congress, human-wildlife conflict occurs when wildlife requirements encroach on those of human populations, with costs both to residents and wild animals.³ In common parlance, wildlife generally refers to undomesticated animal species that include all organisms that grow and live wild in a given area.⁴

Human-wildlife conflict has been in existence for as long as humans and wild animals have shared the same landscapes and resources. Hence, human-wildlife conflicts do not occur only in developing states.⁵ For instance, the concept of elephant-human conflict is a result of habitat loss and fragmentation. When elephants and humans interact, there is conflict from crop-raiding; injuries and deaths to humans caused by elephants; and elephants being killed by humans for reasons other than ivory and habitat degradation.⁶

In the African context, human-wildlife conflict is prevalent, even in states with a much higher average annual income. Crocodiles kill people in the Lake Nasser area of Egypt and hyenas maim humans in Mozambique; leopards eat sheep near Cape Town, South Africa; and lions kill cattle around the outskirts of Nairobi, as was witnessed in Kitengela. Despite the human-wildlife concept being around for several years, conflicts in the wildlife sector have unfortunately

¹ Hitchens, R and Blakeslee, A. *Trends in Illegal Wildlife Trade: Analyzing Personal Baggage Seizure Data in the Pacific Northwest*, PLoS One 12, (2020), pp. 11-14.

Torres, D and Oliveira, E. *Conflicts between Humans and Terrestrial Vertebrates*, A Global Review, (2018), pp. 1-8.

² Ibid, (2018), pp. 11-13.

³ United Nations Office on Drug and Crime. *Wildlife Crime Report: Trafficking in protected species*. United Nations, New York, (2020), pp. 14-19.

⁴ Elsner, R. *Knowledge, attitudes and opinions about human wildlife conflicts held by community leaders in Virginia*, (2018), p. 9-11.

⁵ Schlossberg, S and Chase, M. *Evidence of a Growing Elephant Poaching Problem in Botswana. Elephants without Borders, Kasane, Botswana*, (2019), pp. 1-4.

⁶ Muigua, K. *Managing Transboundary Natural Resources in Kenya*, (2018), pp. 1-6.

continued to persist.⁷ Communities that once coexisted with wildlife now face a security threat, and they are up in arms against the same animals they once cherished. It is worth noting that the HEC conflict affects local community livelihoods and the success of elephant conservation. Tsavo East and Tsavo West National Parks, which cover roughly 60% of Taita Taveta County's land area, are home to Kenya's largest elephant population.⁸

Elephant crop raiding is currently one of the most prevalent forms of conflict between humans and elephants worldwide.⁹ The United Nations (UN) posits that states are concerned with the increase in an elephant-human conflict that makes international trade in wildlife a risk and a threat to economic security due to the complexities involved in the trade and the network of cartels it attracts. In the Southern African Development Community (SADC) region, conflicts between wildlife and other competing land-use forms and hostilities towards state policies on wildlife conservation have become a persistent problem. Under development in the vicinity of high wildlife, concentrations have affected food security in the areas.

In Southern Africa, human-animal conflicts are rising year on year despite various reduction techniques adopted.¹⁰ For example, in Botswana, the human-wildlife conflict has led to the extinction and reduction of numerous species as well as uncountable human deaths and economic losses.¹¹ This human-wildlife conflict is best exemplified by the situation in Northern Botswana, where the expansion of livestock into relatively natural wildlife areas, particularly in the buffer zones adjacent to Moremi Game Reserve and Chobe National Park, has increased livestock predation reports.¹² The human-elephant conflict remains pervasive.

North-West Botswana is home to some of the most diverse and largest populations of wildlife on the continent. The North-West region of Botswana holds roughly one-third of Africa's remaining savannah elephants. In settlements and cattle posts surrounding the villages of Maun, Shorobe, Toteng, and Nxaraga in the Ngamiland district, for instance, human-elephant conflict is

⁷ United Nations Office on Drug and Crime. *Wildlife Crime Report: Trafficking in protected species*. United Nations, New York, (2020), pp. 14-19. .

⁸ Muigua, K. *Managing Transboundary Natural Resources in Kenya*, (2018), pp. 1-6.

⁹ Schlossberg, S and Chase, M. *Evidence of a Growing Elephant Poaching Problem in Botswana*. Elephants without Borders, Kasane, Botswana, (2019), pp. 1-4.

¹⁰ Hovorka, A and Celin, V. *Compassionate Conservation: Exploring the Lives of African Wild Dogs in Botswana*. Department of Community Health Sciences, University of Calgary, Calgary, AB T2N 4Z6, Canada 2 Faculty of Environmental Studies, York University, Toronto, ON M3J 1P, (2019), pp. 4-6.

¹¹ Schlossberg, S and Chase, M. *Evidence of a Growing Elephant Poaching Problem in Botswana*. Elephants without Borders, Kasane, Botswana, (2019), pp. 1-4.

¹² Muigua, K. *Managing Transboundary Natural Resources in Kenya*, (2018), pp. 1-6.

a major conservation concern in elephant range areas. Unfortunately, human-elephant conflict persists as the majority of existing prevention strategies are driven by site-specific factors that only offer short-term solutions, while mitigation strategies frequently transfer conflict risk from one place to another.

The human-elephant conflicts continue to increase each day despite the enormous effort and resources used to mitigate and resolve these conflicts. In addition, the nature of conflicts and how they are resolved to become more complex each day.¹³ The implication is that these millions of people will refuse to visit Africa if the human-elephant conflicts persist. In an area of Botswana known as the eastern Okavango Panhandle, roughly 15,000 elephants compete with 15,000 people for access to water, food, and land.¹⁴ Human-elephant conflict (HEC) is a complex challenge for elephants and people in many parts of the Southern African region.¹⁵

In the case of Botswana, the human-elephant conflict has become a threat to biodiversity conservation, and the management of such conflict is a primary goal for elephant conservation in range areas. This means strategies that are being used in conflict management in the wildlife sector are not based on the current situation¹⁶ of some management approaches merely address the symptoms rather than the underlying drivers of HEC and its subsequent economic security impact.

The human-elephant concept impacts the tourism sector, which is the driving sector in achieving Botswana's National Development Plan 11 (NDP). Therefore, any problem in the wildlife sector has huge implications for Botswana's population, productivity, settlements, and economy.¹⁷ If these human-wildlife conflicts continue on the current trend, Botswana could lose the conservation goodwill of the respective communities. Such a move will cause an ecological disaster due to overgrazing. This would in turn affect so many sectors that support the national survival agenda.¹⁸ Eventually, the resulting threat persists and adversely impacts tourism and, in the process, undermines the state's national Gross Domestic Product (GDP).

¹³ Schlossberg, S and Chase, M. *Evidence of a Growing Elephant Poaching Problem in Botswana*. Elephants without Borders, Kasane, Botswana, (2019), pp. 1-4.

¹⁴ Muigua, K. *Managing Transboundary Natural Resources in Kenya*, (2018), pp. 1-6.

¹⁵ Ibid, (2018), pp. 9-11.

¹⁶ Hovorka, A and Celin, V. *Compassionate Conservation: Exploring the Lives of African Wild Dogs in Botswana*. Department of Community Health Sciences, University of Calgary, Calgary, AB T2N 4Z6, Canada 2 Faculty of Environmental Studies, York University, Toronto, ON M3J 1P, (2019), pp. 4-6.

¹⁷ Selier, J and Slotow, R. *The Legal Challenges of Transboundary Wildlife Management at the Population Level*. *Journal of International Wildlife Law and Policy*, (2019), pp 3-10.

¹⁸ Schlossberg, S and Chase, M. *Evidence of a Growing Elephant Poaching Problem in Botswana*. Elephants without Borders, Kasane, Botswana, (2019), pp. 1-4.

The majority of Botswana believe that the government is giving priority to the conflict. Thus, this research aims to act as a reference point for academicians, scholars, and the general public on the real magnitude of HEC in Africa. This is important because HEC often undermines the objectives of wildlife conservation and sustainable use initiatives. Botswana may continue to lose productive citizens and animals through these human-wildlife conflicts. The survival of the world's wildlife heritage will then be highly threatened, even though each year elaborate planning efforts in the sector continue. The psychological impact and the image of the state are adversely dented by HEC, and this dents national security and jeopardizes Botswana's national interests.

This article notes that to counter the human-elephant conflict issues in Botswana, this article highly recommends the search for innovative solutions, tools, and resources, as well as highly recognizing the potential for innovation and new methods that will ensure that the wildlife (elephants) are confined in a dedicated place.¹⁹ In addition, this article encourages greater vigilance which can be a strong strategy in avoiding human-animal conflicts since it appears that animals have a natural aversion to the presence of humans.²⁰ A very good strategy for employing vigilance as a solution is to have watchtowers that are always manned day and night. For instance, farmers can collaborate and take shifts on the watchtower.

This paper further recommends rotational night duty patrols as a way to watch out for the possibility of elephants. Another solution to the elephant-human conflict is to have some kind of rudimentary alarm system that can work, such as having tin cans, which can make noise when disturbed by animal movements. This article further recommends the use of guard animals (such as dogs). They are an effective source of protection and they relieve the people (such as farmers) from the tedious human patrols. A good guard dog can fend off predators even in the absence of the herd.

Certain types of chili have also proved to be effective against marauding elephants. Studies have been done in Northern Botswana. The downside has been that chili is palatable to other animal species found in the area. Those species grazed it to the ground.

Finally, the use of fencing is also an effective way to manage the elephant-human conflict. The fence can be put up by the governments or the local communities in Botswana. The communities may need the deterrents to be

¹⁹ United Nations Office on Drug and Crime. Wildlife Crime Report: Trafficking in protected species. United Nations, New York, (2020), pp. 14-19. .

²⁰ Lorraine, E. *Transnational environmental crime in the Asia-Pacific: Complexity, policy and lessons learned*, in Elliott L (ed) *Transnational crime in the Asia-Pacific: A workshop report*. Canberra: RSPAS, Australian National University, (2007), p. 11-13.

constructed well, with proper dimensions, and anchored down to the right depth. This can be further reinforced by the use of technology, including electrifying the said fence. The elephant-human conflict can be best deterred by advanced science and technology tools.



NATIONAL DEFENCE COLLEGE

P. O. Box 24381- 00502,
NAIROBI, KENYA

Tel: +254 (020) 3883549, +254 (020) 2606230

Fax: +254 (020) 3883552

Email: info@ndc.go.ke

Website: www.ndc.go.ke