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ORIGINAL ARTICLE

Response of Kenya Security Forces to Terrorist Attacks in the Post-Westgate Period

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Abstract

The article describes how Kenya, through its security forces, responded to significant terrorist attacks carried out by terrorist organization Al-Shabaab on the territory of Kenya alongside how those attacks contributed to the development of counter-terrorism measures. The measures are analyzed from a legislative, technical and security point of view. The article is based on a conceptual analysis of P.C. Sederberg, combined with the United Nations Global Counter-Terrorism Strategy and argues that three significant terrorist attacks on Westgate in 2013, Garissa in 2015 and Dusit D2 in 2019 were key factors of the development and adoption of complex counter-terrorism measures. Those measures were based on the adoption of appropriate laws, development of the institutional structure and implementation of military and police counter-terrorism measures. However, changes were gradual, reactive instead of proactive. The country has learned to build the state's capacity to combat terrorism but struggled with conflict prevention and respect for the rule of law. It succeeded with a build-up of counter-terrorism security forces able to respond effectively and on time. But, finding and eliminating the causes of the conflict, they were far behind. All three significant terrorist attacks showed the need for an appropriate combination of counter-terrorism measures. They cannot be put in use separately, otherwise, it can lead to unintended results.

Keywords

Kenya Security Forces; Al-Shabaab; Counter-Terrorism Measures; Westgate; Garissa; Dusit.

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Introduction

Kenya is located in a very advantageous geostrategic position in East Africa. It is part of the Horn of Africa and the Great Lakes Region. This position makes it a major transit route for the movement of people and goods from Uganda, Rwanda, Burundi, South Sudan and the eastern part of the Democratic Republic of Congo through Kenya to the port of Mombasa on the Indian Ocean coast. It is the Indian Ocean and the proximity of the Horn of Africa as one of the strategic maritime transport routes with access to the Middle East and its oil wealth that make Kenya an important partner on the continent in the eyes of Western states (Business Council for International Understanding 2023). Kenya's geostrategic position is also significant concerning several Asian countries, especially China. Kenya is a major centre in Africa for diplomatic activities, tourism and trade (DefenceWeb 2020).

Kenya's geographic position shapes its security policy in the region. Since independence in 1963, the country has been unusually stable and secure, except for inter-ethnic riots accompanying some national elections. A whole series of security problems arose from political instability caused by conflicts in neighbouring countries. These were threats to the territorial integrity of some states, the influx of refugees, the proliferation of small arms or international terrorism (Mbaya 2019, 92). Today, the region is struggling with terrorism represented by Al-Qaeda and Al-Shabaab. This is connected to a whole range of problems that arise from the limited capacities of individual states, interstate problems, socio-economic challenges, permeable borders and, last but not least, radicalization and extremism (Okwir 2015, 23).

At the same time, Kenya has adhered to a foreign policy of non-intervention since independence. Only terrorist attacks carried out with increasing frequency since the late 1990s, forced the Kenyan government to change its approach (Njuguna 2016, 26). The terrorism threat paradoxically increased after the implementation of several counter-terrorism (CT) measures, especially after October 2011, when the Kenyan army intervened in the southern parts of Somalia, which resulted in an increase in terrorist activities of Al-Shabaab on Kenyan territory (Okwir 2015, 26).

Methodology

This article aims to describe how Kenya, through its security forces, responded to significant terrorist attacks carried out on the territory of Kenya alongside how those attacks contributed to the development of counter-terrorism measures. This article is based on the premise that three major significant terrorist attacks (Westgate in 2013, Garissa in 2015 and Dusit in 2019), among others, influenced the development and adoption of complex counter-terrorism strategies.

To clarify the definition of terrorism, this article uses the one from the Global Terrorism Database.² "Terrorism is the threatened or actual use of illegal force and violence by a non-state actor to attain

² The Global Terrorism Database is as an open-source database of terrorist attacks around the world with systematically collected and analyzed data since 1970. The data collection is continuous and updates are published annually.

a political, economic, religious, or social goal through fear, coercion, or intimidation" (Global Terrorism Database, n.d.). This definition is very close to Kenya's officials' understanding of terrorism: "The unlawful use of violence or threat of use of violence, with intent to advance a political, religious, ideological or other such cause, and includes any unlawful use of violence or threat of use of violence with intent to put the public or a section of the public in fear" (Permanent Mission of Kenya to the United Nations 2017).

P. C. Sederberg distinguishes three responses of a state to terrorism: military methods; reactive approach; symptoms and causes approach (Sederberg 2003, 267-284). In the first case, terrorism is viewed in the context of an enemy to be defeated in war. The war analogy assumes that military methods are effective and thus victory is possible. The second, reactive approach looks at terrorism as a crime that, like terrorism, will not disappear, it can only be contained by normal police techniques. A third approach views terrorism as a disease that has both symptoms and hidden causes. Therefore, a long-term strategy focusing on the underlying causes is necessary, even though only the path of treating the symptoms could be used (Mwachofi 2018, 63).

A similar approach was chosen by the United Nations Global Counter-Terrorism Strategy, adopted in 2006 and later updated. The Strategy is based on four pillars: measures to address the conditions conducive to the spread of terrorism; measures to prevent and combat terrorism; measures to build the states' capacity to prevent and combat terrorism and to strengthen the role of the United Nations system in this regard; measures to ensure respect for human rights for all and the rule of law as the fundamental basis of the fight against terrorism (United Nations Global Counter-Terrorism Strategy 2006).

This article's methodology is based on a conceptual analysis defined in the work of P. C. Sederberg, and combined with the approaches from the United Nations Global Counter-Terrorism Strategy. For this article, the author has adapted these approaches to the legislative, technical and security counter-terrorism measures.

The article is narrowed to the area of internal security. Internal security mainly deals with threats and risks and is usually the responsibility of the police, paramilitary and intelligence services. Due to the nature of the Al-Shabaab terrorist threat in Kenya and its international overlap, the article has to consider also some basic facts about external security. Kenya's CT measures cannot be understood in isolation from the Global War on Terrorism (Mwachofi 2018, 60). For example, foreign aid from Western countries provides significant support, aimed at building institutional capacity, joint military exercises, provision of military equipment, specialized CT training or support for the legislative measures' implementation. On the other hand, this support fuels anti-western feelings in some circles and helps terrorists in their propaganda and recruitment. As Besenyő and Sinkó state, "viewed from the perspective of the local population, the terrorist group provides security and predictability for individuals living under its control" (Besenyő and Sinkó, 2021).

In terms of timeline, the research is narrowed down to the past decade.

Brief Outline of Terrorist Attacks in Kenya

The first large-scale terrorist attack in Kenya was carried out in 1975 in Nairobi, leaving almost 30 dead (Majesh Yetu 2018). A subsequent terrorist attack in 1980 in Nairobi left 16 dead.³ Al-Qaeda, a terrorist organization that was only to grow in importance, established itself in Kenya in 1993-94. The country soon became a haven and transit point for al-Qaeda members and sympathizers. The operatives of the terrorist organization infiltrated the local Muslim population and successfully integrated into it. Kenya has become a gateway for terrorists heading to the Persian Gulf, the Middle East and South Asia (Botha 2017, 47). The culmination of their presence came in August 1998. In Al-Qaeda's first major operation in East Africa, the US embassies in Kenya and Tanzania were targeted. The bombings claimed the lives of several hundred people and injured thousands more. In 2002, in the Paradise Hotel in Malindi on the east coast of Kenya, another attack was coordinated with an attempt to shoot down an airliner carrying Israeli tourists in Mombasa. The first decade of the 21st century is the period of a certain lull in terrorist activities in Kenya (Njuguna 2016, 27). The resurgence came only at the end of 2011 and is linked to the Al-Shabaab organization.

Al-Shabaab

The terrorist organization Al-Shabaab (full name Harakat Al-Shabaab al-Mujahideen) is historically linked to the conflict in Somalia. It was created around 2006 and established itself in the territory of shattered Somalia in the first decade of the new millennium as a military branch of the Islamic Courts Union (Chau 2010, 112).

Spread of Al-Shabaab activities was enabled by very permeable Kenya-Somalia borders. They lead in a climatically inhospitable, arid environment and difficult terrain with no access roads. The physical inability to effectively control such long borders is compounded by close family and clan ties on both sides of the border, inhabited mostly by ethnic Somalis, and in most cases Muslims (Mbaya 2019, 94). The impoverished, remote region has historically been subject to violence by Kenya Security Forces and exclusion, which has fueled anti-government sentiment, and secessionism and facilitated recruitment for terrorists. Terrorist attacks carried out in the border area were executed by small groups and the targets were so-called soft ones, such as restaurants, churches or police stations.

Although Al-Shabaab's propaganda output emphasizes the religious side of the conflict, these motives are only one part of the explanation for the organization's rise and transformation. The violence of a terrorist organization is affected by the same factors as in other forms of conflict, especially the local political and economic conditions from which it originates (Okwir 2015, 35). Today, Al-Shabaab is primarily a heterogeneous organization whose members are motivated by many factors, such as financial gain, fear, the desire to be on the side of the winner, inter-clan disputes, revenge and of course religious motives (Williams 2016, 180).

Al-Shabaab has become a very active organization over time. The relationship between Al-Shabaab and Al-Qaeda was strengthened in 2008, while the formal merger took place in 2012. The first-ever

³The attack was declared in retaliation for Israel's assistance in the hostage rescue operation in the Ugandan capital Entebbe four years earlier.

terrorist attack with regional impact, carried out outside the borders of Somalia, took place in Kampala, Uganda, in July 2010. It claimed 74 lives. Some of the terrorists were of Kenyan nationality, and almost the entire action was also coordinated from Kenya (Botha 2017, 51). But the change in strategy did not mean Al-Shabaab's resignation to violent attacks in Somalia. For example, in January 2016, the organization managed to kill almost 200 Kenyan soldiers who died in a terrorist attack on a forward military base of the Kenya Defense Forces (KDF) in El Adde in southern Somalia (International Peace Institute 2016). In 2017, the organization carried out the bloodiest suicide attack to date in the centre of Mogadishu, Somalia, in which almost 600 people died (Global Terrorism Index 2018). Another Al-Shabaab attack carried out at the end of 2019 in the centre of Mogadishu, claimed around 90 victims.

Although Al-Shabaab is the most active terrorist organization in Kenya, it is not the only one. Violence is also used by the separatist organization Mombasa Republican Council (MRC), which is trying to secede from the coastal region. However, the MRC's efforts are driven more by economic and ethnic reasons than by religious ones (Botha 2017, 55). In contrast, ISIS is not active in the country, although some Kenyan citizens have travelled abroad to join it (Counterextremism 2020). In Nairobi, in the Muslim neighbourhood of Eastleigh, the terrorist group Al-Hijra was established around 2006. It was set up around the Nairobi Muslim Youth Center. It was involved in recruitment for Al-Shabbab and its members also participated in some attacks, including Westgate in 2013 (Nairobi News 2018).

Kenya Security Forces

Kenya's constitution divides national security authorities into military, intelligence and police ones. The primary object of the national security organs and security system is to promote and guarantee national security under its principles. National security is defined as "the protection against internal and external threats to Kenya's territorial integrity and sovereignty, its people, their rights, freedoms, property, peace, stability and prosperity, and other national interests" (The Constitution of Kenya 2010). All three components participate in some way in the fight against terrorism. They are briefly described in the text below (see Table 1).

National Police Service

The oldest unit subordinated to the Ministry of the Interior is the General Support Unit (GSU). The unit was established at the end of the 1940s. Currently, it is subordinate to the National Police Service and its task is to solve issues of internal security of the state. It intervenes in civil or inter-ethnic riots, against organized crime, provides VIP protection, etc. (Megged 2015). It is a unit of a military nature (similar structure, equipment and training) with a strength of around 5,000 people. The elite component of the GSU is the Recce Company based in Ruiru (Bluwstein 2015).

Another police unit which has a special place in the composition of the Kenyan counter-terrorism units is SPEAR (Special Project for Embassy Augmentation and Response Program). Its task is to increase the security of American diplomatic posts in countries with a high threat of terrorism. SPEAR operates under the US State Department's ATA program.⁴ In practice, the American side builds and mentors a counter-terrorism unit made up of selected members of the local police forces. This unit is then able to respond immediately not only in the event of a threat to the American embassy, but in virtually every terrorist attack.⁵ Organizationally, the unit is integrated into the subordination of the GSU. The Kenyan SPEAR response team also intervened in the terrorist attack on Dusit D2 in 2019 (Simiyu 2019).

The first Kenyan unit specialized in the fight against terrorism was established in 2003 and is called the Anti-Terrorism Police Unit (ATPU). It reports to the Ministry of the Interior through the Directorate of Criminal Investigation and is tasked with investigating all matters relating to terrorism. Other roles of the ATPU include preventing the emergence of terrorism and its activities, sharing information related to terrorism with concerned parties, monitoring security measures at key locations in the country, or creating a database of persons suspected of terrorism (Directorate of Criminal Investigation 2020). ATPU is accused by human rights organizations of illegal executions, the disappearance of detainees and inappropriate behaviour towards detained terrorism suspects (Human Rights Watch 2016).

Kenya Defence Forces

The second group of Kenya Security Forces falls under the Ministry of Defense. The Kenyan military initially played a minor role in the fight against terrorism. After the attacks on the US embassy in 1998, it increased its presence on the Kenya-Somalia border and subsequently began a program to build up the coast guard (Chau 2010, 45). The actual construction of the army's counter-terrorism forces did not begin until a decade later.

The KDF, in cooperation with other organizations dealing with security, is to implement robust measures to suppress terrorism. To this end, it is in constant contact with the National Security Council (NSC), the National Security Committee (NSAC), the Intelligence Committee (KIC) and the Regional Security and Intelligence Committees (CSIC). Kenya's national interests include sovereignty and territorial integrity, national security, economic prosperity and well-being of Kenyans, and national prestige (Ministry of Defence of Kenya 2017). At the same time, terrorist attacks threaten all these four elements.

The Kenyan Defense Forces have a few units well suited to the role of counter-terrorism. They are Kenyan Special Forces (KSF). They consist of Special Forces Battalion, Parachute Battalion, and Ranger Battalion. The activities of Kenya Special Forces are classified. The public first became aware of their existence only after their deployment during Operation Linda Nchi in Somalia in 2011. Currently, the units are involved in the protection of the Kenyan-Somalia border and activities in the elimination of Al-Shabaab in the areas where they operate. In addition to superior equipment, they are

⁴ ATA Program was set up in 1983 as a mean to provide specialized training and equipment to the countries under the terrorist threat.

⁵ The SPEAR (Special Program for Embassy Augmentation Response) was set up in 2014 in a response to the attack and capture of the American embassy in Benghazi, Libya.

also characterized by a high degree of training. The Rangers are mentored by the US Army (Chau 2010, 144). The Special Forces Battalion, on the other hand, is mentored by the British Army. The Israeli army also provides training (Goldberg 2015). Another unit, created mainly for combatting terrorism, is the Long-Range Surveillance Unit (LRS). The LRS is within the structure of the Directorate of Military Intelligence (DMI), not within the structure of Kenyan Special Forces. Anyway, all these units are tasked by the KDF High Command.

National Intelligence Service

The existence of the National Intelligence Service (NIS) is enshrined in the 2010 Constitution of Kenya. It was originally subordinate to the Ministry of the Interior, but since the acceptance of the National Intelligence Security Act in 2012, it has a specific, independent status. It has both intelligence and counter-intelligence functions. The Special Operations Unit (SOU)⁶, created in 2015, belongs to the organisational structure of NIS. Unlike the GSU, which is intended to operate within Kenya, the SOU can operate both within the country and beyond its borders. The NIS is behind many of the service's successes in the fight against terrorism (Goodman 2015). The very good relations of the leader of the NIS, the charismatic retired Major General Philip Kamera, with Kenyan President Kenyatta⁷ also contribute to this. NIS is perceived as one of the most trusted components of the state apparatus (Gisesa 2020).

National Police Service	Kenya Police	General Support Unit (GSU) - GSU Recce Unit - SPEAR
	Directorate of Criminal	Anti-Terrorism Police Unit (ATPU)
	Investigation	Cyber Forensic Investigation Unit
		Bomb Disposal Unit
	Administrative Police	Rural Border Patrol Unit
Kenya Defence Forces	Special Forces Battalion Ranger Battalion	
	Parachute Battalion	
	Long Range Surveillance Unit (LRS)	
National Intelligence Service	Special Operations Unit (SOU)	

Table 1. Kenya Security Forces with high ratio of involvement in combatting terrorism

(Source: Author, 2023)

⁶ In western world sources, SOU is also referred to as CTU - Counter-Terrorism Unit. However, the Kenyan sources use the term SOU.

⁷ Uhuru Kenyatta was the president of Kenya from 2013 to 2022.

Terrorist Attacks

Westgate 2013

The first significant terrorist attack in Kenya in the second decade of the 21st century occurred on September 21, 2013, in the Westgate Shopping Center (also Westgate Shopping Mall) in Nairobi. At the same time, Westgate was a symbol of the developing Kenyan middle class. In the attack itself, four terrorists entered the shopping centre and proceeded from store to store, killing everyone in their path. Those who could prove Muslim origin were spared and released. The terrorists wanted to drive a wedge between Muslims and Christians (Njuguna 2016). The well-armed terrorists subsequently took a dominant position at the entrance areas. They were assisted in this by the mall's CCTV system and instructions from a Somalian commander, who monitored the activities of the security forces via public television (Felix 2016).

The police were the first to arrive. Subsequently, the GSU police reached the place. However, the Kenyan army insisted on managing the rescue operation. When the commander of the intervening GSU unit was accidentally killed by a KDF member during the intervention, the unit withdrew. This event was one of the reasons that the conquest of the mall stretched into a four-day battle. The event resulted in the death of 67 people, mostly civilians.

Investigation revealed that the terrorists infiltrated Kenya with a pre-determined mission. They did it through the Kakuma refugee camp, so their movements could be monitored in advance by the intelligence services. With the aid of massive corruption, the terrorists obtained legal travel documents that allowed them to attack as planned (Felix 2016). The negative image of the Kenyan Defense Forces, in addition to the poor command, management and execution of the intervention,⁸ was multiplied by the footage from cameras located in individual shops and later published on the Internet, in which some of the intervening soldiers can be seen taking advantage of the opportunity and looting the shops of the shopping centre.

The attack became evidence of Al-Shabaab's potential reach and at the same time demonstrated the so-called spill-over effect of the Somali conflict into Kenya (Williams 2014). The terrorist organization demonstrated the ability of strategic thinking, and good logistics and presented terrorists as good operatives. At the cost of four lives, Al-Shabaab held a few thousand members of security forces at bay for four days. It has caused heavy loss of life, damaged the Kenyan economy and wounded the pride of their security forces. It gained publicity multiplied by recruitment potential and sowed discord between the police and military forces (Felix 2016). The attack marked a turning point in Kenya's foreign policy and also contributed to changes in the security forces.

⁸ One of the key mistakes turned out to be the presence of the police intervention commander directly on the scene instead of in the central place of operation command. With his activity, he only sowed confusion in the operation and reduced the initiative and ability of commanders at the tactical level to respond flexibly to the situation.

Garissa 2015

On April 2, 2015, five terrorists attacked Garissa University College, the only major institution of higher learning in the north-eastern part of Kenya (International Crisis Group 2019). The attack lasted almost 15 hours. After the security forces managed to kill all the terrorists, 148 students were left dead at the scene. There was a repeat of the Westgate scenario where victims had to prove they were of Muslim origin or they were shot. Although more than 500 students managed to escape, 79 of them were seriously injured (Njuguna 2016).

The attack was aimed at forcing the Kenyan government to withdraw its army from Somalia (Counterextremism 2020). It highlighted the issue related to the legislative and administrative dimensions and their implications for the existing counter-terrorism strategy (Mwagiru 2015). There was a long time lag between the start of the attack and the response of the security forces. Furthermore, the relationship between the police and the military, especially during the crisis, was unclear. And finally, there was a problem with the coordination of security policy at the highest level. On the other hand, when the GSU (GSU Recce Unit) started the counter-terrorism operation, they were able to eliminate the terrorists within a short period. Unfortunately, by then most of the students were long dead.

Kenya did not withdraw its troops from Somalia, but subsequent public pressure led to personnel changes in the security forces leadership and a change in the approach to the CT issue, including better intelligence gathering. Authorities at the local level in the regions on the coast and in the north of the country were included in the process so that they had an interest in combatting terrorist activities.

Dusit 2019

On January 15, 2019, a group of five attacked the Dusit D2 hotel and administrative complex in Nairobi's Westlands district with a suicide bomber and a vehicle explosion followed by a small arms attack. The attack left 21 dead (excluding terrorists) and 28 wounded and was claimed by Al-Shabaab as retaliation for the American recognition of Jerusalem as the capital of Israel. Seemingly the same scenario. What was new, however, was that it was planned and executed by Kenyan nationals of non-Somali origin. For example, the suicide bomber came from the port city of Mombasa. The event highlighted Al-Shabaab's ideological ties to the Al-Qaeda organization and its growing numbers of trained and experienced East African fighters (Bryden, Bahra 2019). In comparison with the two previously mentioned terrorist attacks, the security forces involved in Dusit were able to react quickly and the intervention was carried out relatively professionally. Units designed to fight terrorism actively participated in the intervention: the Kenyan Special Forces Army (KSF) and police response units SPEAR and GSU Recce. Thanks to this, a large number of people were saved in the initial phase, and the counter-terrorism teams secured the object floor by floor until it was completely cleared of terrorists.

Counter-terrorist Measures

Effectively fighting terrorism means adopting a range of strategies and policies. Based on the methodology mentioned at the beginning, counter-terrorist measures are divided into three main groups: legislation and administration measures, technical measures, and security measures.

	•	
LEGISLATION and	Law	Creation of a new authority or
ADMINISTRATION	- The Constitution of Kenya 2010	reinforcement of existing
	- Prevention of Terrorism Act 2012	authorities/bodies, such as:
	- The Security Law Amendment 2014	- National Security Council;
		- The Kenya Intelligence Committee;
	Policy and Strategies	- Kenya Defence Forces;
	- National Strategy to Counter Violent	- National Intelligence Service;
	Extremism 2016	- National Police Service;
	- Defense White Paper 2017	- National Counter Terrorism Centre 2004;
	- Anti-money laundering measures of	- County Security Intelligence Committees
TECHNICAL	The Central Bank of Kenya Border fence (with Somalia since 2015)	Partially effective, but suspended
TECHNICAL	Increased security checks at the points of	Effective
	entrance to the country	
	Monitoring systems (CCTV,	Data not available
	eavesdropping)	
	Registered sim cards (since 2015)	and we of the law next of Kinney we leading
SECURITY	Direct military intervention	- capture of the key port of Kismayu leading
	- operation Linda Nchi 2011	to the diminishing of Al-Shabaab's illegally
		smuggled goods;
		- AMISOM position strengthening;
		- transfer of Al-Shabaab fighters' activities
		to neighbouring countries
	- operation Usalama Watch 2014	- arrest of more than 4,000 people and the
		deportation of 300 of them to Somalia;
		- radicalization of Kenyan's Somalis
	Counter-terrorism training, mentoring,	- modernization of KDF;
	and material support (USA, Great Britain,	- bigger efficiency in combatting terrorism
	Israel, China)	
	Participation in international missions	- promotion of security cooperation on a
	- AMISOM (from 2012)	regional level;
		- a coordinated effort of African Union
		states led to ousting Al-Shabaab fighters
		from most of the Somalia territory;
		- transfer of Al-Shabaab fighters' activities
		to neighbouring countries

 Table 2.
 Kenya's Counter-Terrorism Measures
 Outcomes

(Source: Author, 2023)

Legislation and Administration Measures

Efforts to pass a counter-terrorism law in Kenya date back to 2003. At that time, there was strong opposition from civil and Muslim organizations, which argued that it was too much interference with human rights. Terrorism was dealt with by individual provisions of criminal law until October 2012, when the Prevention of Terrorism Act entered into force. Anyway, the law has come under criticism again from human rights groups and the Muslim community, who have argued that it is aimed overwhelmingly at stifling Muslim freedoms and gives security forces too much power to arrest suspects, seize assets and investigate acts of terrorism, and some of its provisions are even in contrary to the freedoms guaranteed by the Kenyan constitution (Okwir 2015, 23).

In the end, The Security Laws Amendment of 2014 proved to be the most controversial, as it in some places too broadly defined restrictions on freedom of speech and expression in the name of fighting terrorism (Okwir 2015, 23). In 2015, some provisions of the law were struck down by the Kenyan Supreme Court. In September 2016, the Kenyan government adopted the National Strategy to Counter Violent Extremism (NSCVE). The strategy emphasized deradicalization over a purely military approach (Counterextremism 2020).

Administratively, Kenya has sought to respond to terrorism through several measures. In 2004, a decision by the Kenyan government established the National Counter Terrorism Center (NCTC). The centre is subordinated to the executive office of the Kenyan president. It is a multi-agency initiative to effectively coordinate counter-terrorism activities and at the same time serve as a platform for negotiations with foreign partners. Following legislative changes in 2014, the NCTC consists of a director appointed by the National Security Council (NSC) and representatives from the National Intelligence Service (NIS), the Kenya Defence Forces (KDF), the National Police Service and other organizations and agencies as needed. In addition to the counter-terrorism strategy, it develops strategies to counter radicalization and foster de-radicalization (National Counter Terrorism Centre, n.d.). For example, it stays behind the amnesty program for returnees from radicalized youth who joined Al-Shabaab abroad, but later went back to Kenya, using soft power⁹ (Maluki and Seif 2018, 115 - 142).

The Central Bank of Kenya has put in place one of the administrative measures to deal with the identification, tracking, and freezing of financial assets belonging to persons identified with terrorist activities and money laundering already in 2002 (Reports by Member States under Security Council resolution 1373 2002).

Security issues related to terrorism are also dealt with by The Kenya Intelligence Committee (KIC), tasked with coordinating all matters relating to national intelligence (Ministry of Defence of Kenya

⁹ The amnesty program is a good example of using soft power concepts instead of security-based hard-power approaches. Soft power counterterrorism programs seek to reverse the radicalization process by engineering the individual's return to moderate society, usually by providing them with a stable support network, probing their original reasons for radicalizing, and divorcing them from their external beliefs and social contacts (International Peace Institute 2010). Authors studying soft-power concepts usually recommend to combine both approaches to get better results. However, this article is focused on security based hard-power approaches.

2017). County Security Intelligence Committees (CSICs) exist at the level of individual counties. While the members of these committees are members of the state administration, including the police, their secretaries are members of the NIS. This is to ensure a smoother operation of security issues at various levels (Ombati 2014).

Changes in the institutional system of the security apparatus were also brought about by the new Kenyan constitution of 2010. It established the National Security Council headed by the president of the republic. Before the formal establishment of the council, there was an advisory National Security Advisory Committee (NSAC), which was not a legislative but an administrative body (Mwagiru 2015).

In Kenya, there live more than 40 ethnic groups (Botha 2017, 47). The terrorists tried to defuse the often-fragile relations between them and the country had to react also in this area. Minorities are fertile ground for recruitment and Al-Shabaab knew it. Their Somali-based groups have non-Somali members and their recruitment cuts across religious groups and ethnicities. Al-Shabaab's shift of focus to Kenya has led to what has been called "home-grown terrorism" (Abwaku 2017, 97). So, in 2015 Kenya changed its approach when it began to use the knowledge and recommendations of local clerics, elders and representatives of local communities in the fight against terrorism in troubled regions. Arrests without regard for guilt and the associated police brutality have proven to be counterproductive (International Crisis Group 2018).

Another grassroots measure was the Nyumba Kumi Initiative, the Kenyan government's response to the Westgate attack. The initiative was based on the belief that the local population can participate to an increased extent in identifying criminal activities in their community, reporting suspicious activities and persons, and cooperating with the police in preventing terrorist activities (Mwachofi 2018, 63).

Technical Measures

One part of technical counter-terrorism measures is the construction of a wall along the 682-kilometre-long Kenya-Somalia border to stop the infiltration of Al-Shabaab and refugees into the country. The attack on the university in Garissa contributed to the decision (Njuguna 2016). Construction works on a system of concrete barriers, fences, ditches and observation posts (rather than a continuous fence) began in the spring of 2015. Although this stopped the influx of refugees and terrorist infiltration, the construction was slowed down by problems related to corruption, non-payment of workers and conflicts with the Somali side (Counterextremism 2020). The Kenyan parliament suspended construction in 2019, citing the fact that only 10 km of the fence had been built by then, at US\$35 million, which meant that most of the allocated funds had been used up. Currently, the construction of the fence continues, but the efficacy of the whole operation is doubtful.

Other technical counter-terrorism measures like monitoring systems including cameras with facial recognition or obligation to register one's sim card for a mobile phone on one's ID card or passport are not measurable. There is no available data to evaluate what was the impact of these measures in the framework of counter-terrorism measures. At least, we can assume that the need to put your name in the state-run system while buying a new SIM card lowers terrorists' chances of staying

anonymous in the digital sphere. Another measure is based on increased security checks at the points of entrance to the country, for example at the airports.

Ordinary citizens encounter the consequences of the application of technical counter-terrorism measures at every step. Newly introduced counter-terrorism measures have become part of everyday life. When entering shopping centres, offices or any place with a large concentration of the public, every visitor must go through a personal inspection, often supplemented by a check in the security frame. Cars go through a similar check. In many places in larger cities, police and military patrols armed with automatic weapons are common, and so are police patrols with roadblocks and surveillance cameras. On the other hand, a person taking pictures of a public building arouses suspicion (Njuguna 2016).

Security Measures

One of the main parts of security counterintelligence measures is military intervention. The one which was supposed to prevent the spread of terrorism in Kenya is named Linda Nchi operation. It was a military intervention by the KDF in southern Somalia. It began in October 2011 and KDF was able to capture the Jubaland region, including the key port of Kismayu.

One of the main reasons for beginning this military operation was the very negative effect, which had kidnappings of foreign tourists and humanitarian workers, on the Kenyan economy. Targeting the tourism industry threatened a key sector of the Kenyan economy (International Crisis Group). Anyway, the action came as a surprise to many observers, as it was a significant departure from the hitherto more or less passive policy towards Somalia.

However, the military operation had unintended consequences. As a result of the increased pressure Al-Shabaab fighters have been subjected to in Somalia, the movement has shifted its focus abroad, primarily to Kenya. The complex terrorist attacks aimed to increase the price Kenya would pay for military intervention in Somalia to an unbearable level so that the troops had to be withdrawn. The attacks were also intended to raise awareness of the organization, and its success also augmented the morale of the fighters themselves and the organization's recruitment potential. Last but not least, the attacks also targeted potential contributors of financial resources (International Crisis Group 2018). The Westgate terrorist attack in 2013 was one such act of retaliation and an attempt by Al-Shabaab to force the Kenyan military to withdraw from Somalia.

The other military intervention made by the Kenya Security Forces is different. The Usalama Watch operation carried out in April 2014 against members and sympathizers of Al-Shabaab in Kenya had a police character. It was an internal military operation, based on forcible entry into the shops and homes of residents and the temporary arrest of illegal immigrants and Al-Shabaab sympathizers, without the possibility of legal or other assistance. The operation led to the arrest of more than 4,000 people and the deportation of 300 of them to Somalia (Mwachofi 2018, 63).

Under the category of security counter-terrorism measures fits also the participation of other states. East Africa has been the focus of Western countries since its independence in the early 1960s including the area of security and defense. The foreground position pertains to Great Britain. This country has a specific position due to its colonial history. Kenya's armed forces are based on the British model. It is visible in its doctrine, training, or subordination to the civilian authorities. Kenya's officers are also educated in British military schools (Chau 2010, 49-54). Great Britain had been a very important supplier of weapons and military equipment for a long time. It cooperates with Kenya in the area of counter-terrorism. Its armed forces provide training for Kenya Defence Forces in the area of C-IED or special forces. In 2016 - 17, the United Kingdom Department for International Development reported £1.6 billion was issued in bilateral aid programming to priority countries which also included Kenya (Shyhundu, Nyadera, and Agwanda 2021).

Nowadays, a much more important figure in the area of security and combatting terrorism is the United States. It has been a big supplier of weapons, military equipment, and technologies to Kenya for a very long time. For example, in 1978 it purchased 12 fighter aircrafts F-5 Tiger. The program was accompanied by huge American investments. After the USSR invaded Afghanistan and Iran's revolution in 1979, the country became a strategic partner for the US due to its strategic position (Chau 2010, 128-129). After the end of the Cold War, further economic as well as military support to Kenya had decreased, because the United States conditioned it by improving human rights in the country. Only the terrorist attack on the US embassy in Nairobi in 1998 has changed the situation. The strategic importance of the country was further increased by the events of 9/11.

US attitude towards the region illustrates the creation of a military formation named Combined Joint Task Force Horn in Africa (CJTF-HOA) in Djibouti in 2002. The US also participated in the International Peace Support Training Center (IPSTC) in Nairobi. Kenya became part of the East African Regional Strategic Initiative (EARSI), East Africa Counter-Terrorism Initiative (EACTI), US Agency for International Development (USAID), Security Governance Initiative (SGI), and Anti-Terrorism Assistance (ATA) Program.

It is estimated that US financial support to Kenya is around 1 billion USD annually. Part of it goes to the CT measures. For example, Kenya's Navy has a few American ships for use in coastal seas to help in the fight against piracy and the defence of the ports and maritime facilities (Chau 2010, 45). Kenya's Air Force got 8 UH-1H helicopters in 2016-2017 to support the fight against terrorism (DefenceWeb 2017). In 2019-2020 they got new American helicopters MD 530F Cayuse Warrior for reconnaissance and attack operations. The United States has been using Kenya's facilities for a long period in exchange for military assistance. For example, by conducting counter-terrorism and anti-piracy operations led by US SOF and reconnaissance flights over Somalia (Chau 2010, 11-20). As of 2023, 600 U.S. military personnel are stationed in Camp Simba, Manda Bay Airfield. They are primarily engaged in training and assistance (Kenya: Extremism and Terrorism, n.d.).

Historically, its security interest in the country has also been Israel, which has been in contact with it since 1963. Even the fact that both countries established diplomatic relationships after 20 years of interruption again in 1993 (Chau 2010, 57). Israel's special forces participate in the training of Kenya's special forces especially in the area of counter-terrorism. The relationship between intelligence services also has a long history.

Except for traditional suppliers of weapons and military equipment, there are some new ones. Especially China (purchase of military transport aircraft Harbin Y-12) or some Middle Eastern states (United Arab Emirates, Jordan). Last but not least there are activities of the European Union, focused on the police training and interrogation teams within it or in support of the counter violent extremism policy.

Participation of Kenya in peacekeeping missions promotes security cooperation on the regional level and the already mentioned African Union Mission to Somalia (AMISOM) is a good example. Operation Linda Nchi contributed to strengthening the position of AMISOM. A regional peacekeeping mission managed by the African Union with the approval of the United Nations was created in 2007 and its mandate ended in 2022, and was further replaced by the African Transitional Mission in Somalia (ATMIS).

The activities of AMISOM and later on ATMIS are directly related to the transfer of Al-Shabaab fighters' activities to counties on Kenya-Somalia borders during the year 2023. Somalia's counter-insurgency operation against Al-Shabaab had started in August 2022 (Special Report 2023). In March 2023, Kenya sent additional troops to support Somali forces in their increased effort. Due to this, terrorists were forced to move to neighboring Kenya, where dense vegetation in some border regions (e. g. Boni Forest) provided a good hideout. This presented Al-Shabaab with an opportunity to escalate their attacks against Kenya Defence Forces as well as civilians. The attacks took place at a crucial moment when Somalia and Kenya had agreed to reopen a long-time closed border crossing, and when ATMIS had begun to withdraw its troops from Somalia (Situation Update. July 2023).

Looking at the trends in the last few years, Kenya continued to suffer terrorist attacks primarily along the Kenyan-Somali border (U. S. Department of State. n.d.). The majority of Al-Shabaab terrorist attacks occurred in Mandera, Wajir, and Garissa counties in northeast Kenya in border regions with Somalia and Lamu county in the coastal region. They were in the form of armed clashes with Kenya Security Forces using tactics of IEDs and small firearms. The Al-Shabaab's ability to conduct complex operations in Kenya proved on January 5, 2020, when a group of 30 – 40 fighters conducted an attack on the U.S. Military Camp Simba in Manda Bay (U.S. Department of Defense 2021). The terrorist group was also engaged in direct attacks against civilians, with a doubled number of civilian fatalities in comparison with the years 2021 and 2022 (The Armed Conflict Location & Event Data Project 2023). The Kenyan government has created 14 Forward Operational Bases (FOBs) along the Kenya-Somalia border in preparation for reopening the border crossing and the withdrawal of ATMIS from Somalia. They are important for the security of the region by facilitating operations against Al-Shabaab, as the capability of the Somali National Army after the planned withdrawal of KDF and other ATMIS forces from Somalia to secure Kenya against A-Shabaab remains in question (Wambui 2023).

Research Outcomes

Kenya's authorities responded to significant Al-Shabaab terrorist attacks carried out on its territory by a series of measures. By describing and analyzing these measures applied gradually to significant terrorist attacks in Westgate, Garissa, and Dusit, a certain pattern can be traced. Relying only on one specific counter-terrorism measure, either legislative or technical or security, is not sufficient. There has to be the right mix of these measures, applied at the right time in the right place. For example, operation Linda Nchi (a security measure) was a success from the military point of view, but it directly contributed to Westgate. Similarly, operation Usalama Watch led to the arrest and deportation of some Islamic radicals, but its style of execution with its lack of legal aspects and a clear focus on Somalis' nationality put many innocents or non-aligned directly to the hands of Al-Shabaab.

The Constitution of Kenya from 2010 (legislative measure) had defined particular branches of Kenyan Defense Forces and their responsibilities, but Westgate and Garissa showed a lack of coordination between them despite the document. One of the goals of terrorist attacks was to further damage the reputation of the armed forces and sow discord among the armed forces. The evaluation of terrorist attacks showed that a clear division of authorities and responsibilities of particular players on the scene of terrorist attacks can improve the results, increase cooperation among individual power players in times of crisis, and be positive towards the reputation of security forces within the public. Positive results of properly applied counter-terrorism measures in this domain were proven by Dusit. But at the cost of hundreds of lives before. Therefore interagency cooperation is essential.

Intervening counter-terrorism units must be adequately trained and armed. All three terrorist attacks showed the importance of highly trained, motivated and well-equipped forces, assigned to functional command-and-control processes. CT training, mentoring, and material support led by some Western countries provided this.

Technical measures are not effective per se, as shown by the border fence. It has to be combined with other measures, especially on the local level. There is no data available to evaluate other measures like the obligation to register SIM cards, but in the context of other measures like increased security checks at the entrances to the country, they seem to prove effective. Here technical measures connect with security ones. Counter-terrorism training, mentoring, and material support by Western countries brought new approaches towards the security checks at the airports. Applied modern technologies lowered terrorists' chances of infiltrating the board of the plane or the shopping mall unnoticed.

Conclusion

Kenya has responded to the Al-Shabaab terrorist attacks by gradually adapting counter-terrorism legislation and technical and security (military) measures. Specifically, it was the adoption of appropriate laws, the development of the institutional structure of the state (command, control and execution of counter-terrorism operations, the creation of military, police and intelligence units designed to fight terrorism and the improvement of the intelligence services work in the collection, analysis and distribution and sharing of intelligence information) and implementation of military and police CT measures. However, the changes were gradual, reactive instead of proactive. The effectiveness and brutality of the terrorist attacks in Westgate and Garissa, with subsequent public pressure and economic and political consequences, are among the key factors that have contributed to the change in the approach of the Kenya Security Forces in the fight against terrorism.

The country has learned to build the state's capacity to combat terrorism but struggled with the area of prevention of conflict and respect for the rule of law. It succeeded with the build-up of counter-terrorism security forces able to respond effectively and on time. But, finding and eliminating the causes of the conflict, they are still far behind. All three significant terrorist attacks showed the need for an appropriate combination of counter-terrorism measures. They cannot be put in use separately.

Adapted CT measures prove successful, at least in big, populated areas. Since Dusit 2019 there has not been a significant terrorist attack. However, the course of events along the Kenyan-Somali border in the last few years shows that Al-Shabaab has not been eradicated. Therefore a multidisciplinary approach towards security should be applied also in remote areas. This is a giant task to fight terrorism in an environment with underdeveloped infrastructure, poor education, the marginalized minority of Kenyan Somalis, chronic corruption and not well-equipped security forces.

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