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Emerging Developments in Countering Violent Extremism and Counterterrorism in Kenya

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About This Brief

This policy brief discusses recent developments, challenges and opportunities in countering violent extremism (CVE) work and counterterrorism (CT) in Kenya. It provides recommendations to stakeholders, in particular researchers, the National Counter-Terrorism Centre (NCTC) and the Ministry of Interior and Coordination of National Government, which can be applied to exploit the identified opportunities and overcome the challenges.

It incorporates the insights and perspectives of practitioners and independent researchers, who participated in a one-day experts' meeting convened by the Centre for Human Rights and Policy Studies (CHRIPS) in April 2017, under Chatham House rules. It also features data and analysis on violent extremism, CVE and CT that has been generated by CHRIPS over the past year.

Kenya's National Strategy on Countering Violent Extremism

The Kenya Government embraced the idea of CVE after the Westgate Mall attack in Nairobi in September 2013. In 2014, NCTC launched a process to develop the National Strategy on Countering Violent Extremism. The Strategy was launched in 2016. It sets out priorities and interventions to prevent and address violent extremism. It maps out how the public, civil society and private sector will partner with security agencies to carry out CVE interventions, and envisions collaboration between the national and county-level governments.[2] It underscores the importance of bilateral and multilateral partnerships, and the important role that research and monitoring and evaluation will play in

improving the effectiveness of interventions. It also acknowledges that security agencies need to respect the rights during counterterrorism operations.

While the Strategy has been well-received, some CVE practitioners and independent researchers are concerned that the strategy development process was rushed and not sufficiently consultative. This may have an impact on the extent of public ownership and acceptance of the Strategy as it is rolled out. A glaring gap in the document is its failure to recognize the gendered dimensions of violent extremism, and the consequences for CVE interventions. Another concern pertains to the practical implementation of the strategy on the ground where high levels of mistrust persist between the public and policing agencies, and have largely gone unaddressed by the Government. This particular challenge hinders the possibilities for building of effective community-police partnerships that is key for effective CVE interventions. Overall, there is little public awareness about the Strategy, which has not been widely disseminated and is still not available to the public online.

Another critique of the Strategy is that it does not spell out the roles of the different official community security mechanisms, such as Community Policing Committees, Nyumba Kumi Committees, Sub-County Peace Committees and Cohesion Committees. These mechanisms work closely with people on the ground and can be good sources of intelligence and therefore prevention. They stand to play a key role in mobilizing the public to be involved in CVE interventions. So far, however, these mechanisms lack sufficient visibility, funding support and facilitation. Their work is poorly coordinated and poorly understood by the public, leading to confusion about the roles they can play in countering violent extremism.

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[2]In 2017, several counties, among them Lamu, Kwale and Mombasa have launched their own CVE County Action Plans that outline their responses to violent extremism at the local levels.

Recommendations

- NCTC should make the Strategy widely available by partnering with civil society and faith-based organizations to conduct civic education on the role the public is expected to play in its implementation. It should also make it available to the wider public by uploading onto its website. These measures will enhance public awareness about CVE as well as public support and cooperation for the Strategy and the Government's CVE efforts generally.

- NCTC, in partnership with other security agencies, should involve the community-level security mechanisms in CVE work by spelling out their roles in this respect and providing them with training, resources and facilitation.

Counterterrorism and Accountability of Security Actors

The National Strategy on Countering Violent Extremism clearly indicates that Kenya's security agencies, and the Government, recognize that the war against violent extremism cannot be won without the partnership of public, particularly communities where extremist recruitment takes place. In spite of this, security agencies have been unable to cultivate the trust of the public, which continues to view them as repressive. Even though the National Strategy indicates that the right environment is being created to enhance citizen-state collaboration in CVE, persisting mistrust has kept people from making reports of terrorist-related activity to security actors because they believe they will become the targets of police persecution. Others are reluctant because of the perceived fear of reprisals from extremists.

Further, the National Strategy indicates that the respect for human rights is key to effect CVE work. However, local and international human rights groups continue to document serious human rights violations, including extrajudicial executions, assault, torture and sexual violence allegedly meted out on suspected terrorists and terrorism sympathizers, by the National Police Service, the National Intelligence Service (NIS) and the Kenya Defense Forces (KDF), during counterterrorism operations in parts of the coast, northern Kenya and Nairobi.[3]

While there is a framework, in the form of the Independent Policing Oversight Authority (IPOA), to hold the National Police Service to account for rights violations, police cooperation with IPOA is wanting. It is therefore unclear to what extent IPOA's interventions are having an impact on police conduct during counterterrorism operations. Moreover, there are still no functional oversight mechanisms specifically related to the NIS and KDF that would allow the public to seek redress for violations allegedly committed by these institutions' personnel.[4]

Recommendations

- The Ministry of Interior and Coordination of National Government should deepen trust building between the police and citizens to address the challenge of poor relations between them. As indicated, there is no substitute for good police-citizen relations in so far as insuring the success of CVE work and CT operations. Where there are higher levels of trust, communities are likely to be more willing to form prevention partnerships with the police.

- The Ministry of Interior and Coordination of National Government should put in practical measures in place to compel the National Police Service to comply with IPOA investigations and interventions. While the National Police Service is legally mandated to work with IPOA in investigated police abuse cases, the police have tended to be reluctant to do so. If a strong level of compliance is not achieved, it is likely that the police will continue to commit human rights violations during counterterrorism operations with impunity, further straining their relations with local communities whose support they cannot do without if they are to be effective.

- The Complaints Board of the NIS should be operationalized urgently to enhance the public accountability of the institution in so far as counterterrorism operations are concerned.

- Ministry of Defense should establish an independent complaints body within the KDF to make it easier for the public to seek redress for violations committed by military personnel. These measures will enhance discipline in the NIS and KDF, help enhance professionalism, their public image and reputation, and ultimately their effectiveness.

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[3]See for instance, Kenya National Commission on Human Rights (2016), *A Comparative Analysis of the Efficacy of Counterterrorism Legislation and Policy in Kenya;* Amnesty International (Feb 2017), *County Human Rights Reports, Kenya 2016-2017*; Privacy International (Mar 2017), *Track, Capture, Kill: Inside Communications Surveillance and Counterterrorism in Kenya;* Patrick Mutahi (2017), *Building a National Intelligence Service for a Democratic Society,* Centre for Human Rights and Policy Studies ; Judy Gitau (2017), *Civil-Military Relations in an Era of Violent Extremism,* Centre for Human Rights and Policy Studies.

[4]See for instance Patrick Mutahi (2017), *Building a National Intelligence Service for a Democratic Society,* Centre for Human Rights and Policy Studies ; Judy Gitau (2017), *Civil-Military Relations in an Era of Violent Extremism*, Centre for Human Rights and Policy Studies.

Returnees and Rehabilitation

In 2015, the Government announced it would offer amnesty to returnees who voluntary renounced extremism, rehabilitate them and facilitate their reintegration into society. Rehabilitation of returnees was listed as a priority in the National Strategy on Countering Violent Extremism, which provides that NCTC will lead in coordinating the provision of "counselling, critical reasoning tools, and knowledge to shift their mind-sets and enable them to be peaceful and law-abiding citizens." Besides this reference to rehabilitation, there is still no policy and legislative framework explaining what rehabilitation entails, how it is to be carried out, which non-state actors will be involved, and how success will be measured.

Currently, there are no reliable statistics on how many youths have been taken to Somalia by Al Shabaab for terrorist training, or how many have returned. Some of youth who have returned escaped because of disillusionment with difficult conditions in Somalia. This category has been labelled "deserters" by Al Shabaab, and the group has reportedly ordered their elimination.[5] This category is also viewed with suspicion by security agencies, and human rights groups have claimed that security personnel are involved in "disappearing" them.[6]

Recommendations

- NCTC should launch a consultative stakeholders' process that is aimed at developing a workable returnees' rehabilitation programme that is based on evidenced-based policy. Rehabilitation of returnees should be based on scientifically tested approaches that have actually been used and replicated successfully in other contexts to transform youth-in-conflict with the law to become law-abiding members of society. This programme ought to be anchored in clear and comprehensive policy.

- Researchers and research institutions need to invest more resources and time in gathering more accurate and reliable statistics on the number of young people who have been taken to Somalia by Al Shabaab, as well as those who have returned. Accurate and reliable statistics are essential for designing relevant and effective CVE and CT interventions.

- The Ministry of Interior and Coordination of National Government should invest more resources in protecting the lives of the young people who have returned from Somalia, and are now at risk of being targeted by Al Shabaab and/ or security agencies. If returnees do not believe they will be safe, it is unlikely they will submit to the Government's rehabilitation programme. Worse still, some may choose to continue along the path of extremism.

Violent Extremism and Women at the Kenyan Coast

A major gap in the National Strategy on Countering Violent Extremism is its failure to envision and address the gendered dimensions of violent extremism, and the impacts of gender on CVE and CT work.

Al Shabaab recently began to use women to carry out terrorist attacks in Kenya, a case in point being the bombing of a police station in Mombasa in 2016. The organization is increasingly involving women in its activities as way of adapting to intensified state surveillance.[7] This trend is informed by the logic that women are less conspicuous than men because they have generally not been involved in extremist activities.[8] Growing numbers of women in coastal and northern Kenya are now actively involved in recruiting young people into extremism by linking them to online information about extremism.[9] Others are active in aiding the concealment and transfer of weapons and money, as well as logistical planning for Al Shabaab.

Some of the women involved in Al Shabaab activities at the coast tend to be classified as lower-middle class. They are dominant in their local communities, well-linked and have the networks required to make them good recruiters. The research has been unable to pinpoint any specific gendered pathways to extremism. However, it has established that women with low levels of religious knowledge, and are especially susceptible to being capture by false ideas about religion and violence. Others are driven to violent extremism as it offers a sense of thrill, adventure and liberation away from the usual roles they play as women in their communities. Some are motivated to join because they have been harassed by against law enforcement, are vengeful, and feel membership in Al Shabaab can offer them the tools to strike back.[10]

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[5]See for instance, CHRIPS (2016), *Conflict Assessment Report: Danida Peace, Security and Stability (PSS) Programme-Kenya* 2016-2020 (Sections on Garissa, Kilifi, Kwale and Mombasa Counties).

[6]Ibid.,

[7]Field notes shared in April 2017 CHRIPS Experts' Meeting by PhD candidate researching women and violent extremism in Kenya.

[8]Ibid.,

[9]Ibid.,

The spread of violent extremism has also led to the victimization of women in unique ways. Where male members of their families are suspected of involvement in Al Shabaab, women have sometimes become vulnerable to harassment by security agencies investigating their male relatives. Some women are being recruited into Al Shabaab unknowingly. They are deceived into travelling to Somalia on false premise that they will get good employment opportunities there. However, once there, they are turned into forced to carry out domestic chores for the members of the group, or are turned into sex slaves.

Women can play an important role in countering violent extremism in Kenya. As mothers, they are likely to be the first to notice changes in their children that may be indicative of their involvement in extremist activities. Women have strong networks that, in partnership with security agencies, these networks can be good mechanisms for gathering intelligence and disseminating information to their local communities. Some women in places such as Mombasa have formed support groups for women who were radicalized or were victims of violent extremism. Attention should be paid to these women support groups, as they can be sources of valuable lessons and information for CVE practitioners and the Government.

possible, the Strategy's implementation approach should mainstream this concern in future detailed policy guidelines, legislation and action plans.

- The NCTC, Ministry of Interior and Coordination of National Government, civil society and faith-based organizations should invest more resources in engaging women's groups and networks in CVE work, in addition to building their capacities and resilience to support CVE interventions in secure, effective, and sustainable ways.

- Researchers and research institutions should invest more resources to gain a better understanding of the gendered dynamics of extremist recruitment. A key area of focus could be; the lack of opportunities for women, the grievances they hold and how these may make them susceptible to recruitment.

- Researchers and research institutions should invest more resources in understanding how women are uniquely affected by terrorist violence. This research should aim to generate lessons and recommendations on how women survivors' unique psychological and physical treatment needs will be taken into account, as well as how policing and security agencies can better protect women who may be most at risk of becoming victims of terrorist violence.

Recommendations

- NCTC should review the National Strategy on Countering Violent Extremism to incorporate analysis on the gendered dimensions of violent extremism and CVE interventions. If a review is not

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[10] Ibid.,

About CHRIPS

The Centre for Human Rights and Policy Studies (CHRIPS) is an independent think tank, research and policy development centre. CHRIPS invests in the generation and dissemination of knowledge that facilitates the development of innovative and effective policy solutions to the pertinent security challenges in Africa. Through its work, CHRIPS seeks to advance rights and social justice.

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