

# CRIME AND VIOLENCE PREVENTION TRAINING



## MOMBASA AND ISIOLO COUNTIES CRIME, VIOLENCE AND PREVENTION SURVEY (POPULAR VERSION)

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## ***Foreword***

These rapid assessment surveys were carried out in Isiolo and Mombasa Counties in May and June 2017 under the “Crime and Violence Prevention Training (CVPT)” project funded by the World Bank. The survey explored dynamics of crime and violence in those counties, risk factors and protective factors, and potentials for prevention. The research sought to inform the CVPT, a month-long course which has been run annually in Kenya since 2011 as a collaborative project between United States International University-Africa (USIU-Africa) and Kenya School of Government (KSG) joined latterly by National Crime Research Centre (NCRC). During its first 5 years, the project was sponsored by Open Society Initiative East Africa (OSIEA) as part of its Crime and Violence Prevention Initiative in the region, and is now sponsored by the World Bank. Coffey International has also been a funding partner. The project has evolved over time to equip a wide range of relevant actors at the county level in response to Kenya’s devolved government structure since 2013. County surveys now precede training courses in order to contextualize the training curriculum and provide common ground for discussion and learning.

## ***Acknowledgements***

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## Introduction

High rates of crime and violence across the world are undermining growth, threatening human welfare, and impeding social development, particularly affecting the poor and vulnerable. Globally, one in five people have been a victim of violence and crime.<sup>1</sup>

The term crime means different things to different people. Haskell and Yablonsky have pointed out that to members of the legal profession, a crime is an illegal act, while some social scientists tend to equate the term with all behavior that is injurious to society.<sup>2</sup> Simply put, crime refers to behavior, either by act or omission, defined by statutory or common law as deserving of punishment. The World Health Organization defines violence as “the intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community, which either results in or has a high likelihood of resulting in injury, death, psychological harm, mal-development or deprivation.” There are various classifications of crime and violence. Crimes can either be classified based on the potential penalty to be imposed, e.g., felonies, misdemeanors, etc., or on the subject matter, e.g., crimes against persons, crimes against property, etc. Violence can be grouped into categories based on variables, such as: agents of violence (e.g., gangs, youth, and collective groups); victims of violence (e.g., women, children, minority groups; the relationship between aggressor and victim (e.g., interpersonal, non-related); perceived causality (e.g., psychopathological, situational, and learned); and type of harm (e.g., physical, psychological, and sexual).<sup>3</sup>

Some root causes identified include: rapid urbanization, persistent poverty and inequality, social exclusion, and post-conflict cultures, among others; urban residents, the poor and those living in marginalized neighborhoods must cope with a particularly high incidence of crime and violence. Many countries in Africa have become increasingly concerned with soaring levels of crime and violence, which come in a variety of forms, such as youth violence, gender-based violence, and, in general, high levels of criminal victimization—robberies, assaults, and thefts, among others.<sup>4</sup>

The costs of crime and violence are significant, ranging from direct costs such as destroyed public infrastructure, future costs of physical and mental health care, to indirect costs including productivity losses, population displacement, and overall welfare costs.<sup>5</sup> Further, social multiplier effects portend the far-reaching ramifications of crime and violence, by measuring the impact in such areas as the erosion of social assets, intergenerational transfer of violence, reduction in quality of life, and decrease in public confidence in government and its institutions.

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<sup>1</sup> UN Habitat (2013)

<sup>2</sup> Haskell and Yablonsky (1983)

<sup>3</sup> See <http://www.who.int/violenceprevention/approach/definition/en/>

<sup>4</sup> World Bank (2009)

<sup>5</sup> Ibid.

A preventative approach to crime and violence has been increasingly recognized, enacted in violence prevention laws, and promoted in recent years as part of an efficient and effective response to the ravages of crime and violence.<sup>6</sup> The underlying assumption is that,

*Crime prevention strategies not only prevent crime and victimization, but also promote community safety and contribute to sustainable development of countries. Effective, responsible crime prevention enhances the quality of life of all citizens. It has long-term benefits in terms of reducing the costs associated with the formal criminal justice system, as well as other social costs that result from crime.*<sup>7</sup>

Crime and violence prevention involves a detailed look at the factors which are involved in crime and violence, both risk factors and protective factors. WHO and its partners have identified 7 key strategies, based on growing evidence, which will help to prevent crime and violence. These are:

- Developing safe, stable and nurturing relationships between children and their parents and caregivers;
- Developing life skills in children and adolescents;
- Reducing the availability and harmful use of alcohol;
- Reducing access to guns and knives;
- Promoting gender equality to prevent violence against women;
- Changing cultural and social norms that support violence;
- Victim identification, care and support programs.<sup>8</sup>

Holtmann (2011) describes this process as ‘building protective social layers’, which contributes to resilience against both victimization and offending behaviors. It is a multi-faceted endeavor that calls for extensive planning and strategizing. Successful prevention techniques target the underlying causes of violent behavior: spatial environments, family structures, and education. Holtmann, while referring to South Africa, argues, “We can only expect safety when we take collective responsibility for re-building our social system to mitigate the ravages of the social engineering of the past.”<sup>9</sup> This is arguably also applicable to most of Africa. The often-cited root causes of crime and violence including rapid urbanization, persistent poverty and inequality, political violence, post-conflict cultures, the more organized nature of crime, and the emergence of illegal drug use and drug trafficking may require national strategies.<sup>10</sup>

Multiple agencies need to be involved, which if well-coordinated, can offer different perspectives, resources and skills in the most efficient, cost effective and sustainable manner. Partners in crime and violence reduction can come from a wide variety of sectors. They involve various levels of government (national and local), who have different mandates and areas of

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<sup>6</sup> WHO, UNODC and UNDP (2014)

<sup>7</sup> Ibid

<sup>8</sup> Ibid.

<sup>9</sup> Holtmann (2011)

<sup>10</sup> World Bank (2003)

expertise and non-state actors, in particular civil society groups and even traditional authorities, who assist to ensure local ownership at every stage, a key element of a successful approach. The role of the media, with its powerful positive and negative potential in bringing attitudinal change and disseminating information is an important one in the multi-agency approach, while the private sector players have interests and roles to play in crime and violence prevention such as the growing use of public-private partnerships in service provision and reducing opportunities for crime through situational crime prevention and environmental design). Lastly academia and research institutions through valid research and publication may direct and support crime prevention initiatives.

### **Crime and Violence Prevention in Kenya**

The Kenyan government has often adopted the traditional approach of law enforcement and criminal justice to address the crime and violence problem in the country. Official and public discourses on crime and violence in Kenya have called for more aggressive policing and stiffer penalties against the perpetrators.<sup>11</sup> The government has responded to threats of crime and violence by establishing new police units and elite squads with more firepower, e.g., the Anti-Terrorism Police Unit (ATPU) to address the problem of terrorism, and by enacting new laws that enhance the punishment for those suspected of violent crime, e.g., the Prevention of Terrorism Act (2012) and the Security Amendment Act (2014) that seek to address the problem of terrorism and radicalization. In cattle rustling areas forceful disarmament operations have been carried out but with little impact, except to harden resistance and strengthen illegal supply chains of arms.<sup>12</sup> Such approaches fail to consider the underlying causes of crime and violence in society. They also fail to deal with hidden crime and violence such as violence in the home which leads to societal breakdown and hence to more crime. One important challenge is the lack of available quantitative and qualitative data, due to challenges of police capacity, security and access, along with low statistical capacity.<sup>13</sup>

There has been little public debate nor policy discourse on crime and violence prevention. Community policing has received some attention in Kenya in the last 2 decades, but benefits were never felt, due in part to poor understanding of the concept, a lack of real partnership with communities and an ongoing repressive police culture.<sup>14</sup> Therefore, Kenya urgently needs to develop opportunities for alternative thinking and practice to repressive policing as well as moving from securitization to safety.

### **Crime and Violence Prevention Training (CVPT)**

Open Society Institute East Africa, through its Crime and Violence Prevention Initiative sponsored a modular training in 2011 in collaboration with United States International University (USIU) and

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<sup>11</sup> Reisman & Ruteere, 2010

<sup>12</sup> Muhereza et al, (2011)

<sup>13</sup> Hills (2009)

<sup>14</sup> Ruteere and Pomerolle (2003)

Kenya School of Government (KSG). The training course brought together government, civil society and academia to learn together about crime prevention in Kenya. Its aims were:

- To promote policy and public discourse on crime and violence prevention and safety in Kenya,
- To explore strategies, tools and methods of crime and violence prevention in Kenya,
- To facilitate the emergence of a multi-sector group of actors (public, private, and civil society) engaged in crime and violence prevention in Kenya,
- To equip stakeholders in crime and violence prevention with adequate skills to conceptualize, design, implement and monitor crime and violence prevention programs and interventions, at the national and county levels in Kenya.

Subsequent phases built on the aims and successes of the first, widened the audience and expanded the curriculum. In response to the devolution of many functions to county governments in 2013 (under Kenya's new 2010 constitution) the CVPT has also been brought to the county level, training county-level actors, and entering into dialogue about county-specific challenges. The ongoing training aims to continue the momentum of developing people and promoting discourse in the area of crime prevention and an integrated crime prevention approach.

The training rises to the challenge of crime and violence in Kenya in a number of ways. Firstly, given the mounting evidence for the effectiveness of prevention strategies, one important next step is to intensify and expand violence prevention awareness among decision makers,<sup>15</sup> something which the CVPT has been doing. Secondly, CVPT through its workshop sessions has also been enhancing non-state and state participants' capacities to design, implement and manage effective sustainable crime and violence reduction programs. Thirdly, traditionally, security management has remained a preserve of the state and its machineries and a relationship of mistrust, fear and suspicion has existed between members of the civil society and law enforcement agencies. The CVPT however, has promoted understanding and partnership.

### **Counties and Crime and Violence Prevention**

Under Kenya's new dispensation (see Figure 1), provided for by the 2010 Constitution, Kenya now has 47 county governments under their respective county governors. The new constitution has also created new or restructured existing key security institutions such as the National Police Service (NPS) previously known as the Kenya Police Service, National Intelligence Service (NIS) and Kenya Defence Forces (KDF). The former Provincial Administration made up of Provincial Commissioners and various levels down to chiefs that previously coordinated security at local levels was restructured and renamed the National Government Administration Office (NGAO).

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<sup>15</sup> WHO (2010)

The position of County Commissioners was created to oversee security coordination in counties through their position as Chair on the County Security Committees (CSCs). (See Figure 2 below)

Figure 1: Kenya's new system of devolved government

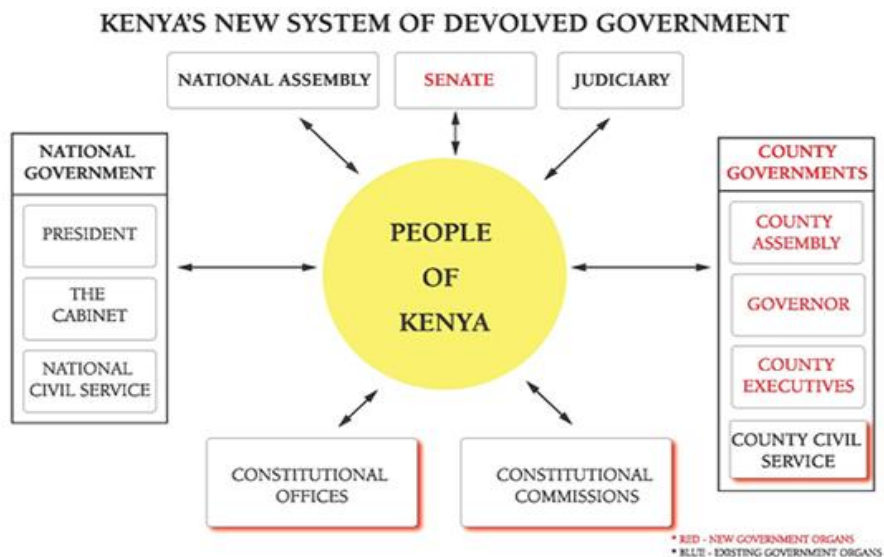
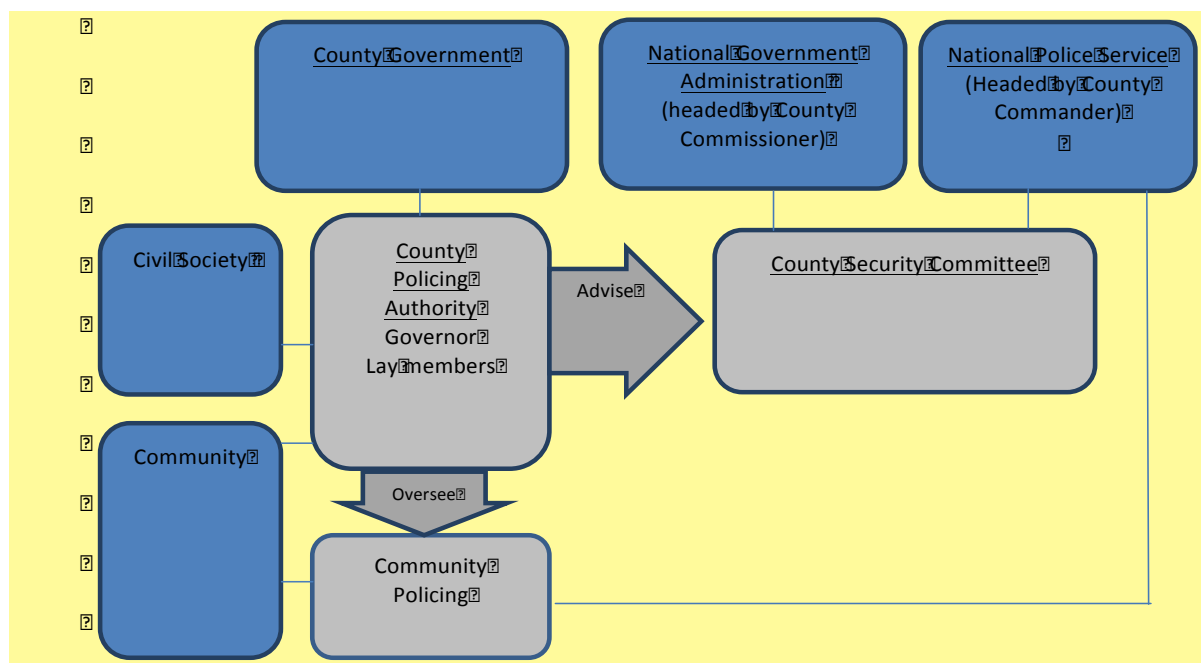


Figure 2: County security players



Besides the restructuring of security functions, devolution has the potential to influence security in a number of other ways. Abdille & Abdi note that devolution of funds for development of counties has led to political and often ethnic competition and even conflict at county level with

new majorities and minorities looking to control and benefit from funds.<sup>16</sup> At the same time large-scale national or regional development projects have further raised the stakes for political power, and brought new dynamics of land conflict and other social impacts. Development and urbanization brings benefits, but also risks, such as new forms of crime and violence.

County governors have responsibility for certain roles such as the control of drugs and pornography, fire-fighting and disaster management, transport, control of public nuisances, trade development and regulation, early childhood education and health, and overall county planning and development. While conventional “security” provision such as police and intelligence remains under the national government and is overseen by county commissioners, the role of the county government is nonetheless vital in managing issues which have a bearing on security; these include employment, development and planning. Thus, governors have the opportunity to make a difference to county security in the medium to long term, if not the short term. One potential contradiction however, is the need for national police to enforce county laws<sup>17</sup> which they may be unwilling to do if they are at odds with national ones.

Furthermore, The National Police Service Act, echoing the constitutional requirement for increased participation by communities in decisions affecting them, creates a County Policing Authority (CPA) in each County. The CPA is to be headed by the governor of each county and brings together 13 representatives from county, national and local community security interests, 6 of whom are lay members. CPAs are to be responsible for amongst others, monitoring trends and patterns of crime, developing proposals on priorities, objectives and targets for police performance, monitoring progress and achievements, overseeing and promoting community policing initiatives, facilitating public participation and providing financial oversight for the budget for policing. On a regular basis, CPA briefings are intended to feed into the County Security Committee which is responsible for day to day management of security and deployment of police. While relevant legislation for CPAs has been created, guidelines to operationalize it have not yet been created, thus slowing down the process of implementation of an important structure in crime and violence prevention.

In some places, governors have pushed for a greater role in policing functions, arguing that this should be devolved. They cite the important role that governors play in mitigating intra and inter-ethnic and communal conflicts, and the need for security provision to fit better with local development plans. They also argue that despite hundreds of lives being lost, the national government has side-lined them in security issues.<sup>18</sup> Opposing views include the concern that local control of security might allow governors to use security forces to manipulate political events and inter-ethnic relations to their advantage.

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<sup>16</sup> Abdille and Abdi (2016)

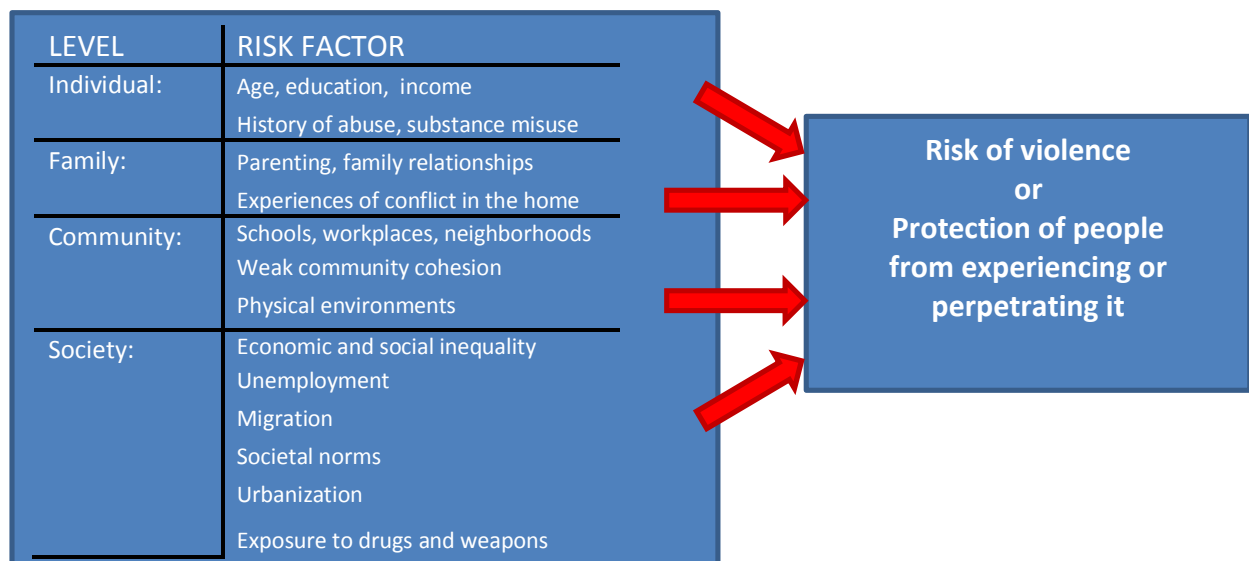
<sup>17</sup> Burbidge (2017)

<sup>18</sup> Mosuku (2015)

## Framework for Analysis

In analyzing the dynamics that drive crime and violence in Mombasa and shape local capacities for prevention, the work draws on the ecological framework which has been widely used in crime and violence research and literature (see Figure 3).<sup>19</sup> It helps explain how the complex interaction between the factors at the different levels result to crime and violence and can be used to identify and categorize crime and violence prevention strategies based on the various ecological levels.<sup>20</sup> The complex interplay between the factors at various levels and the accumulation of risk and protective factors is assumed to increase or decrease the likelihood of crime and violence and involvement in it.<sup>21</sup>

Figure 3: The socio-ecological model<sup>22</sup>



At the community level, cohesion, internal ties and community identity are important in crime prevention and community organizations are an important aspect of promoting this (See Figure 4). Such an approach draws from social disorganization theory, which identifies certain characteristics of the community that shape the opportunities for crime and help prevention.<sup>23</sup> Dense internal ties, inter-personal trust, and shared expectations allow community members to trigger shared norms through social controls. Norris et al notes communities have used dense internal ties to prevent crime from taking root.<sup>24</sup>

<sup>19</sup> Krug et al (2002); Moon, et al (2010); Moore et al (2014); Cramer & Kapusta (2017)

<sup>20</sup> Literature on crime and violence draws from several disciplines, including criminology, sociology, economics and public health, see World Bank (2010) Winton (2004).

<sup>21</sup> Moser and McIlwaine (2006)

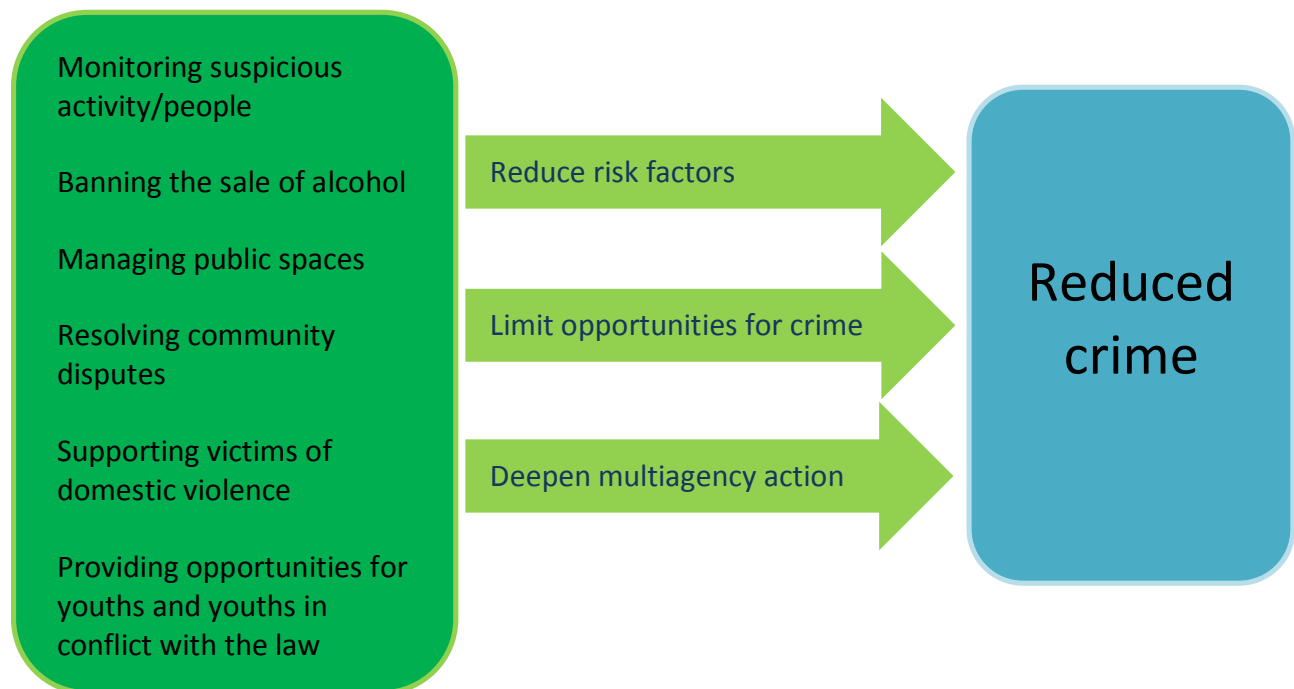
<sup>22</sup> Adapted from Dahlberg and Krug (2002)

<sup>23</sup> Bursik (1988); Bursik and Grasmick (1993); Kubrin and Weitzer (2003)

<sup>24</sup> Norris et al (2008)

Communities may take part directly in crime and violence prevention in a number of ways. In previous surveys in other countries, it has been seen that there are often several community-based organizations working on various issues relevant to crime and violence prevention but these are not coordinating their efforts; sometimes they are in competition with each other. Further, they may be doing good work but lacking in capacity or resources to sustain the effort or expand into new arenas. Strengthening and integrating community groups may therefore be an important strategy.

*Figure 4: Community crime prevention actions<sup>25</sup>*



Criminological research in North America and Europe has shown that crime tends to concentrate in geographic ‘hot spots’ and that efforts to target crime have been effective.<sup>26</sup> The ‘routine theory’ examines how patterns of individual behavior lead to the salience of certain locations (malls, movie theaters, certain streets or public spaces) normal referred to as ‘hot spots.’ These are areas in which perpetrators cluster.<sup>27</sup> The theory was geared towards the ‘micro level’ spaces but does not explain why entire neighborhoods or communities tend to be more violent than others.<sup>28</sup> Related to this is situational crime prevention literature which focuses on the physical environment that affects the cost and benefit of perpetrating crime by facilitating surveillance or deterring criminal acts.<sup>29</sup> This theory is currently being applied in Kenya. In Mombasa and Nairobi

<sup>25</sup> Berg and Carranza (2015)

<sup>26</sup> Groff *et al* (2010)

<sup>27</sup> Cohen and Felson (1979)

<sup>28</sup> What studies of “hotspots” argue is that crime clusters in certain micro areas within neighborhoods, the solution is to target the areas as opposed to targeting the entire neighborhood. (Groff *et al* 2010)

<sup>29</sup> Clarke (2008)

the police are making use of closed circuit television (CCTV) cameras to combat crime and violence and they are implementing an integrated command control and communication (IC3) system in urban areas. The use of surveillance through what is called Crime Prevention through Environmental Design (CPTED). This looks for changes in the physical environment such as street lighting that might reduce the opportunity for crime.<sup>30</sup>

Lastly, the work considers violence in a broad sense, that is, not only manifest physical violence but also structural violence identified by Galtung;<sup>31</sup> his work extends violence to include psychological hurt and, in turn, alienation, repression and deprivation.<sup>32</sup> Rylko-Bauer & Farmer simply define structural violence as ‘the violence of injustice and inequity’. According to them, the structures include pervasive “cultural and political-economic structures such as caste, patriarchy, slavery, apartheid, colonialism, and neoliberalism, as well as poverty and discrimination by race, ethnicity, gender, sexual orientation, and migrant/refugee status.”<sup>33</sup> Structural violence not only leads to victimization but also perpetuates and reproduces violence through the marginalization of people and communities.<sup>34</sup> Several studies have applied the concept of structural violence to explain the link between social problems, including crime and violence, associated with poverty and social suffering.<sup>35</sup>

In urban contexts, it is deprivation as inequality that is the most common form of structural violence, and results in reactionary violence that is prevalent in Kenya. Deprivation in this sense includes not only differences in income but also the lack of access to basic social services, the lack of universal state security protection, along with the severe corruption, inefficiency and brutality that generally hit the poor hardest, and the lack of social cohesion; these living conditions heighten the potential for the emergency of conflict, crime and violence.<sup>36</sup> Rylko-Bauer & Farmer then note that a structural violence framework provides a holistic approach to identifying the root causes of crime and violence by focusing on historical forces and social, economic, and political processes that shape risk and local reality.<sup>37</sup> This is critical to developing effective approaches to counter crime and violence.

## **Aims of the Survey**

Since the training moved to the county level, crime and violence surveys have been carried out in the respective counties in preparation for the training. This assists in tailoring the curriculum to the specific challenges of the two counties, provides common ground between participants for discussion, and helps to determine potential participants for whom the training is a useful

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<sup>30</sup> Cozens and Love (2017)

<sup>31</sup> Galtung (1969)

<sup>32</sup> Galtung (1991)

<sup>33</sup> Rylko-Bauer & Farmer (2017)

<sup>34</sup> Ibid: Winter & Leighton (2001)

<sup>35</sup> Krug et al (2002); Mukherjee (2007); Miller & Rasmussen (2010); Peña (2011)

<sup>36</sup> Van der Scheuren (2006)

<sup>37</sup> Rylko-Bauer & Farmer (2017)

investment. Drawing from the theory on crime and violence prevention, the questions addressed by the survey are:

- What are the main crime and violence challenges in the county?
- What risk factors (drivers and enabling factors) and protective factors are visible?
- Who are the players in managing crime and violence and what are their capacities?
- What kinds of prevention activities and partnerships are already in place?

The surveys also provide a useful reference for participants to use in their work and a starting point for further data collection, the importance of which has been noted.

The choice of Mombasa and Isiolo counties was a strategic selection to ensure a geographical balance, urban-rural balance, and potential entry points for operational engagement (i.e. urban projects). Both counties are suffering from issues related to radicalization; Mombasa as a county plan for countering violent extremism, but Isiolo County does not as yet, so training the two counties together is likely to result in some useful sharing of knowledge and ideas. Mombasa County is an important focus given its high population and high rate of gang crime, and it is an ideal choice for training in urban crime and violence prevention. Isiolo County is also one of the counties involved in the Northeastern Development Initiative (NEDI) by the World Bank and was seen as an important choice given the rapid changes in the county due to development. The survey findings will inform the creation of the new County Integrated Development Plan.

## **Methodology**

The survey relies on desk-based research and five days of fieldwork in each county by the team. It is a rapid assessment which consists of both quantitative and qualitative information and primary and secondary data which was triangulated to enhance reliability. Primary data was collected using the following tools; questionnaires, interviews and focus group discussions, through purposive sampling, convenience sampling and snowball sampling with all tiers of society from key security actors to civil society workers, and to local community members. The general approach with all the surveys has been to pre-arrange FGDs with chiefs and ward administrators, and interviews with key informants to gain an overall view of the county and to explore certain specific issues in greater detail, following which snowball sampling would be employed to follow important leads. FGDs with community members including women and youths ensure that local voices are also heard. Secondary data was sourced from civil society and donor reports, academic papers, official records and reports by the national and county governments including health and education departments (see list of references). This survey assumes that many incidences of crime and violence are never reported to the police due to: low police presence, existence of alternative justice mechanisms, stigma, problems of access and mistrust of police and judiciary due to experiences of harassment, corruption and long delays. Therefore, in addition to police data, other sources of information are needed to gain a fuller picture of crime and violence in the counties.

In Mombasa, purposive sampling of informants took place in: 10 scheduled focus group discussions (with women, youth, transport operators, civil society, elders, peace groups, inter-faith groups, chiefs and administrators) and 29 individual in-depth interviews, with some interviewees reached through a “snowballing” process. Areas visited included 4 of Mombasa’s 6 sub-counties (see Table 1). A questionnaire was completed by 80 respondents from a variety of sectors (see Figure 5) and areas of the city, to explore their perceptions about crime and its management in order to triangulate with and complement the qualitative findings.<sup>38</sup>

In Isiolo there were 14 focus group discussions, 25 key informants and 114 questionnaire respondents. All 3 sub-counties were visited, and four of the 5 wards in Isiolo (Town) sub-county; this ensured a good representation of the various livelihood zones (pastoral, agro-pastoral and urban-based) given the limited time and resources (see Table 2 and Figure 6).<sup>39</sup>

*Table 1: Overview of fieldwork in Mombasa County*

	Sub-county (and ward)				
	Mvita, (Old Town)	Mvita, (Ziwa la Ng’ombe)	Nyali	Likoni	Changamwe
<b>In-depth interviews with key informants</b>	Police Commandant, County Commissioner, Regional Commissioner, Officer for International Organization for Migration, Officer for MUHURI, University Lecturer, Police Officer, Business CBO Chair, Boda Boda Association Chair. County Secretary, Land, Planning and Housing Officer, Immigration officer Medical Officer, Kenya Ports Authority, County Security Advisor. County Director of Education, Officer in	Officer for Peace NGO KIKODEP, MYW chair, A youth,	Local Bishop, Sauti ya Wamama chair, Coast Interfaith Council of Clerics Program Manager for Women, CEO Beach Hotel/chair of Tours Association	LIKODEP officer	

<sup>38</sup> Males and females were equally represented. Over 50% had secondary level of education or higher, which is uncharacteristic of Kenya as a whole and reflects the particular sectors from which most respondents came.

<sup>39</sup> Males constituted around two thirds of the sample due to the distribution of the survey to several officials who are more often male. Over 50% had secondary level of education or higher, which is uncharacteristic of Kenya as a whole and reflects the particular sectors from which most respondents came.

	Department of Health, Tuk-Tuk Association Chairman, Superintendent in County Inspectorate, Officer in Department of Trade, Officer in Department of Early Childhood Development (Education)				
<b>Focus group discussions or group interviews</b>	Chiefs from various sub-counties	Community policing group	Coast Interfaith Council of Clerics	Community policing group, Sauti ya Wamama, Youths,	Community Policing group, District Peace Committee, Elders, Youths Boda Boda Association, Women's Group
<b>Questionnaires administered</b>	80 respondents from a variety of sub-counties				
<b>Secondary data obtained at source</b>	CICC report Police data Health statistics County Integrated Development Plan				
<b>Other</b>	Tour of Police Command Centre				

*Figure 5: Sectors represented by questionnaire respondents in Mombasa County*

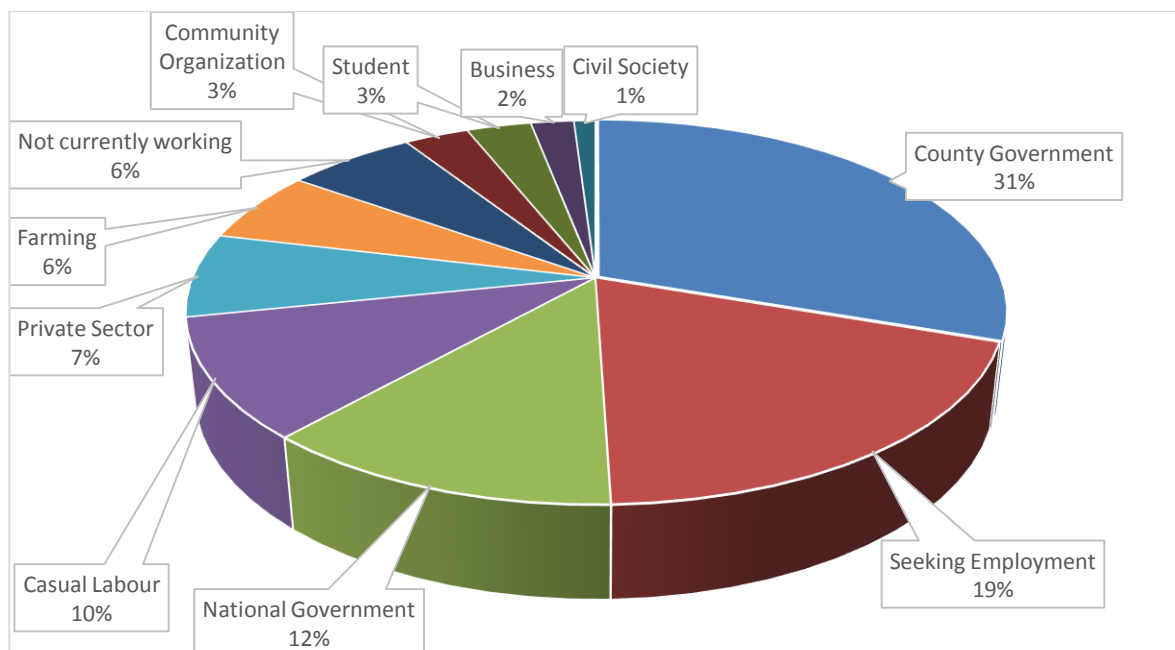
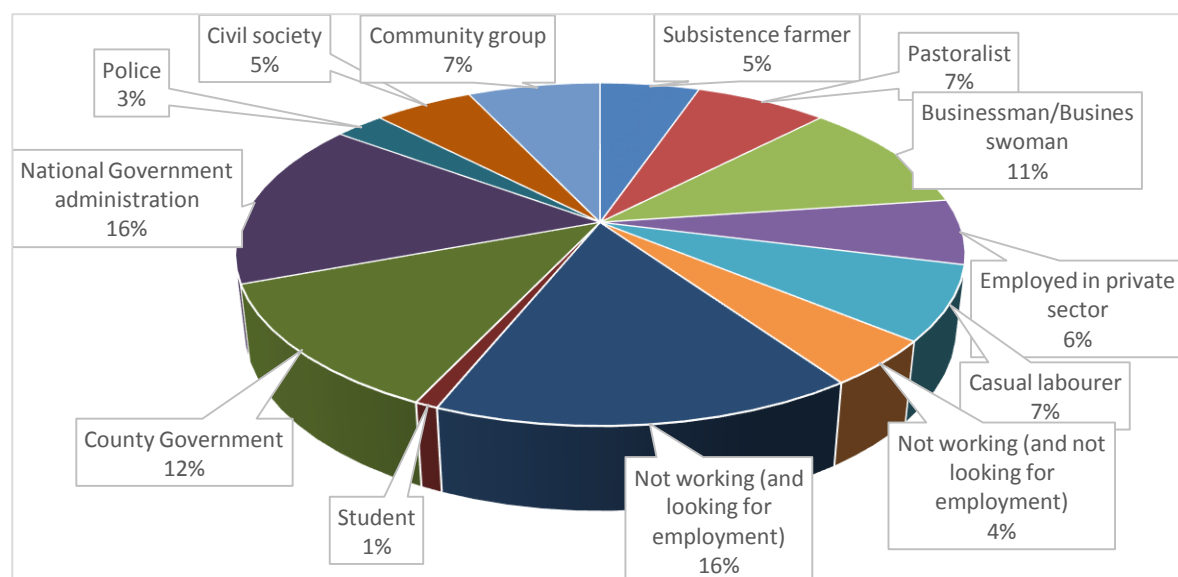


Table 2: Overview of fieldwork in Isiolo County

	Sub-county (and ward)		
	Isiolo (Wabera, Ngare Mara, Bulla Pesa, Burat)	Merti (Chari)	Garbatulla (Kinna)
<b>In-depth interviews with key informants</b>	Deputy Governor, County Director for Education, County Health Department personnel, County Secretary for Tourism, Director, Ministry of Livestock and Agriculture, Other county government officials, County Commissioner, Other national government administrators, Ward Administrators, Officer manning gender desk, Boda Boda Association chairs, Boda boda operators, Sensitization of Communities on Radicalization and Empowerment Solutions Interfaith Organization members (SCORES) Media Conservancy staff member	Ward Administrator	Ward Administrator Mzee wa kijiji, Administration Police Officer
<b>Focus group discussions or group interviews</b>	14 across sub-counties noted: Ward Administrators Chiefs Women, youths, boda boda operators National Police Reservists		
<b>Questionnaires administered</b>	114 across sub-counties noted		
<b>Secondary data obtained at source</b>	Police data Hospital data Data from Isiolo County Planning Office Data from Director of Education County Integrated Development Plan		

Figure 6: Sectors represented by questionnaire respondents in Isiolo County



Limitations for both counties included budgetary constraints, insufficient time to visit all sub-counties, and insufficient time to conduct a community victimization survey. Further there were security concerns in some parts of Isiolo, and the process was to some extent hampered by political campaigns. The problem of illiteracy was overcome by offering assistance to people to complete the survey verbally. In the given time, the information gained was maximized by the use of key informant interviews and focus groups with respondents expected to have a broad or specific understanding of the dynamics and impacts of crime and violence. Further, some of the respondents came from outside of the sub-counties in which they were sampled. Permission to access security and administrators was given by virtue of the collaborations contacts and influence in the country.

## Background: Crime and Violence Trends in Kenya

Kenya has experienced increased incidences of crime and violence in the recent past, which has greatly affected its growth and development. The nature and extent of crime and violence in the country varies according to the setting, i.e., urban or rural, and the prevailing conditions of an area. The Crime & Safety Report identifies road safety and crime as the greatest threats to security in the country.<sup>40</sup> The report further identifies carjacking, burglaries, and home invasions as the most serious crimes in Kenya. Police data for 2016 reveals that the highest number of reported crimes by far are in the category of assault, followed by stealing, house break-ins and burglary, other offences, and offences against morality (mainly defilement). The crime mapping survey by National Crime Research Centre in 2016 identifies the top 10 most commonly mentioned crimes as stealing, possession of illicit alcohol, assault, house break-ins and burglary, murder, rape, robbery, stock theft, defilement and drunk and disorderly behavior.<sup>41</sup> However, because this was not a victimization survey as such, certain crimes such as gender-based violence and violence against children are likely to have been under-reported. Importantly, there was great variation between counties in crimes such as stock theft and associated violence, smuggling and female genital mutilation (FGM).

High-profile and troubling incidences of crime and violence in Kenya include large-scale terrorist attacks as well as ongoing smaller scale attacks in Kenya's northern counties; gang killings and other gang crimes; political violence such as the post-election violence in 2007-2008; and police violence against citizens. On a day to day level, however, serious incidents of crime and violence may be normalized or suffered repeatedly because the victims are not in a position to report them. These include corruption, gender-based violence, violence against children and crime and violence which results from or flourishes due to poor police presence and ineffective criminal justice mechanisms. This section provides some useful contextual information not specific to the counties mentioned on some of the issues raised by this survey.

### Boda-Boda Related Crime and Violence

There are an estimated 500,000 motorcycle taxis or *boda bodas* on Kenyan roads,<sup>42</sup> which play a major part in enhancing access to rural areas and unplanned urban settlements where road networks are poor. The subsector is a key contributor to business development and to the economy,<sup>43</sup> and is a very important contributor to youth employment in Kenya. Alongside these benefits, *boda boda* is renowned for its dangers, most importantly the risks of road traffic accidents and severe injuries.<sup>44</sup> Several factors may contribute to this problem, including careless driving, poor training, lack of protective gear and reflectors, traffic congestion, poor urban and highway planning including lack of pavements and lights, use of alcohol, speeding to maximize

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<sup>40</sup> OSAC (2017)

<sup>41</sup> NCRC (2016)

<sup>42</sup> Omondi (2015)

<sup>43</sup> Ibid.

<sup>44</sup> NTSA (2014)

customers and poor condition of vehicles, amongst others. It was also noted that motorbikes (and parts) are not always genuine.<sup>45</sup> While laws cover age (over 18 years) licensing, and protective gear (helmet and reflective clothing) there is generally poor enforcement, and bribery is common. Importantly, scholars point out that Africa's road safety record is a function of bigger structural inequalities and problems in transport planning and development which fail to protect the most vulnerable.<sup>46</sup> New mega projects in the country also threaten to dispossess rural people from their land and increase the number of poor and underage youths attempting to make a living through *boda boda*.<sup>47</sup> The *boda boda* sector is also an important context for crime, with operators as both victims and perpetrators or accomplices. Operators are also frequently mobilized in political campaigns and can become actors in political violence.

### Alcohol and Drug Abuse

Alcohol consumption has been identified as a public health concern in Kenya.<sup>48</sup> According to a survey conducted by the National Authority for the Campaign Against Alcohol and Drug Abuse in 2012: alcohol is the most commonly abused substance in the country and poses the greatest harm to Kenyans.<sup>49</sup>

The most commonly traditional alcoholic brews such as the *chang'aa* spirit and the milder *busaa* beer brewing is widespread among poor families due the easy availability of ingredients needed, e.g., maize, sorghum, and sugar.<sup>50</sup> Legal instruments include the Alcoholic Drinks Control Act 2010, which permits the production and consumption of *chang'aa* as long as certain rules contained therein are adhered to. These rules state that the drink shall only be manufactured, packed, sold, or distributed in glass bottles of a capacity of not less than 250mls shall not be sold to those under age 18 years of age.<sup>51</sup> However, the effectiveness of the law has been questioned.<sup>52</sup> The restrictions imposed on the manufacture and consumption of traditional brews such as *chang'aa* may indirectly provide a ready market for second-generation alcohol: alcoholic drinks made by mixing neutral spirit, i.e., food grade ethanol, water and flavours.<sup>53</sup> These are easy to produce, low-priced and easily accessible, and are popular amongst many drinkers on a low income. However, sometime they may be adulterated with toxic substances, leading to the deaths of hundreds of people; and permanent loss of vision in survivors.<sup>54</sup>

Alcohol abuse is well recognised as a cause of crime and violence such as murder, rape and domestic violence. There have even been media reports highlighting incidences where women

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<sup>45</sup> FGD, Maendeleo ya Wanawake (MYW), 8 January, 2015

<sup>46</sup> Khayesi and Peden (2005); Lamont (2010)

<sup>47</sup> Mkutu and Mkutu (2017 upcoming)

<sup>48</sup> Ndeti et al (2016)

<sup>49</sup> NACADA (2012)

<sup>50</sup> Ibid.; Kinoti, Jason & Harper (2011)

<sup>51</sup> Muturi (2014)

<sup>52</sup> Opiyo & Omanga (2010)

<sup>53</sup> Otieno (2015)

<sup>54</sup> Jackson (2015); Kihuria (2014)

mutilated or even killed their husbands who are alcohol abusers. Children are consuming alcohol and engaging in risky sexual behaviour and impulsive crimes such as arson.

Closely connected to the problem of alcohol consumption is the issue of drug abuse. The drugs commonly abused in Kenya include, tobacco (not illicit), *bhang*, *miraa*, heroin, cocaine, methamphetamine (meth), and ecstasy.<sup>55</sup> *Bhang* is the most easily available illicit drug in Kenya and its use is at around 1.2%, while the prevalence rate of cocaine is at 0.1%.<sup>56</sup> *Bhang* is sourced from the *Cannabis Sativa* plant and can either be smoked or used as a beverage. Usage is high amongst Kenyan urban youths who usually smoke it, though new modes of consumption are emerging, including lacing of confectioneries such as cakes, cookies and sweets.<sup>57</sup>

*Miraa* refers to the leaves and young shoots of the *Catha Edulis* flowering shrub that is native to East Africa and the Arabian Peninsula.<sup>58</sup> It has a mildly stimulant and euphoric effect and been widely used since the thirteenth century as a recreational drug by the indigenous people of East Africa, the Arabian Peninsula, and the Middle East.<sup>59</sup> *Muguka* is a slightly stronger variety of the same. The Ministry of Health in Kenya recently classified *miraa* as a drug dangerous to human health,<sup>60</sup> (contradicting the move by the Kenyan government to petition the United Nations to remove it from the international list of psychoactive drugs so that Kenya could export it).<sup>61</sup> Despite the health and socio-economic impacts, production, sale and consumption of these substances remain unregulated in Kenya.<sup>62</sup> A study focusing on five counties, Kwale, Isiolo, Marsabit and Kitui, found that current usage of *khat* in the counties stood at 54%.<sup>63</sup> Apart from the health issues associated with the use of *khat*, from a socio-economic point of view consumption of *khat* results in idleness, irresponsibility, crime, wastage of household resources and the problem of addiction.<sup>64</sup>

Drugs can have severe repercussions at the community level, particularly in low-income urban areas. They are integral to many forms of violence at a local level, from gang warfare (controlling the drug market), to robberies and assaults (when money for drugs is scarce), to the murder of drug addicts by social cleansing groups (see below), and constant (often violent) quarrels in the home. Winton notes,

*At their most extreme, drug groups can dominate the institutional structure of entire communities, with the drug trade creating a structure so embedded in some communities as to become normal... In addition, the problem of drugs, if unchecked, results into*

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<sup>55</sup> Kahuthia-Gathu, et al (2013)

<sup>56</sup> NACADA (2012)

<sup>57</sup> NACADA (2015)

<sup>58</sup> NDIC (2008)

<sup>59</sup> Ibid.

<sup>60</sup> National Protocol for Treatment of Substance Use Disorders in Kenya (2017)

<sup>61</sup> Gathura (2017)

<sup>62</sup> Michuki and Kivuva (2013); Carrier (2008)

<sup>63</sup> Michuki & Kivuva (2013)

<sup>64</sup> Ibid.

*imposing its own system of justice and social norms which are linked to the erosion of institutions and emergency of alternatives.*<sup>65</sup>

Drug factions can become a recognized sociopolitical force at the local level.<sup>66</sup> However, this has less to do with the power of the drug factions and more to do with the absence of state-provision of services, allowing drug groups to fill the gap.<sup>67</sup>

*The existence of drug lords in communities is often made legitimate through a complex but mutual beneficial relationship. The drug lord is given anonymity and freedom to carry out business, and the community in return receives internal security and other services.*<sup>68</sup>

Therefore simply strengthening state institutions may weaken the power of illicit ones which fuel the drug problem.

### **Sexual and Gender-Based Violence**

Gender-based violence, mostly against women, is common in Kenya but under-reported and normalized. Importantly, some cultural traditions in Kenya legitimize physical and sexual violence within marriage, although this becomes less prevalent with increased education and economic status.<sup>69</sup>

The Kenya Demographic and Health Survey Report of 2014, which find that almost half of both women and men (45% and 44%) aged 15-49 have experienced some form of physical violence since age 15. Interestingly, while the main perpetrators against women are husbands; men tended to suffer at the hands of parents, teachers, and others. In terms of sexual violence, this has affected a smaller number overall but women are more vulnerable in this area (14.1% and 5.9%). The most likely perpetrator for both was the current or former spouse. Spousal violence (either physical or sexual) more often affects women (39% of ever-married women and 9% of men).

In terms of violence against children a survey commissioned by WHO found that in Kenya around 31% of girls and 18% of boys had been victims of sexual violence (including unwanted sexual touching, forced sex or attempted forced sex and sex under pressure); In 7.1% of girls and 1.4% of boys this went as far as completed forced sex. In most cases the perpetrator was a boyfriend or girlfriend, sometimes a neighbor, and less often a family member, and in a third of cases the

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<sup>65</sup> Winton (2004)

<sup>66</sup> Dowdney (2003)

<sup>67</sup> Leeds (1996)

<sup>68</sup> Winton (2004)

<sup>69</sup> KNBS (2014a)

perpetrator was at least 10 years older than the victim.<sup>70</sup> Defilement is the legal term for sexual intercourse with a person under 18 years; which is subject to a punishment of life imprisonment if the child is 11 years or under.<sup>71</sup> Although the Sexual Offences Act of 2006 created tighter laws against defilement and sexual assault, implementation remains weak.

Sexual violence has a number of physical, psychological and social implications for victims. These may include unintended pregnancy, pregnancy complications, unsafe abortions, gynecological disorders, complex pain syndromes, chronic pelvic pain, HIV and other infections<sup>72</sup> as well as anxiety, depression, stigma, poor performance at school and other repercussions. Importantly, economic, educational and social barriers impede most women accessing timely help for sexual violence. On a legal level, the need for forensic evidence to be collected within 24 hours is usually not feasible and therefore most cases never reach the formal justice sector but may be dealt with out of court by traditional dispute resolution mechanisms or not dealt with at all.<sup>73</sup>

### **Radicalization and Recruitment into Violent Extremism**

In recent years Kenya has been the victim of some horrifying and high-profile terrorist attacks on the public, and continues to suffer ongoing incidents against police posts and the public near the Kenya border with Somalia. The main organization taking responsibility for these attacks is Al-Shabaab.<sup>74</sup> In recent years, and especially since losing territory in Somalia after AMISOM's assault in 2012, efforts to recruit and build local support within Kenya through its affiliate Al-Hijra, have been persistent and successful.<sup>75</sup> A UN report in 2011 gave a loose estimate of between 200-500 Kenyan fighters, most of whom were Muslim youths who have joined Al-Shabaab's campaign against AMISOM forces in Somalia or been part of terrorist attacks in Kenya.<sup>76</sup> A later estimate made the figure around 2000 Kenyans, roughly a quarter of Al-Shabaab's 7,000-9,000 forces.<sup>77</sup> In 2014, the Supreme Council of Kenya Muslims (SUPKEM) estimated that around 700 "returnees" (mostly between 18 and 45) were living in Kenya, having returned from Somalia where they had trained and fought with Al Shabaab.<sup>78</sup>

Radicalization may be defined as the propensity to carry out acts of violence in the name of a political cause while recruitment may be usefully considered in terms of "enlistment" which may be voluntary or to some extent forced; importantly one may happen without the other.<sup>79</sup> "Push" and "pull" factors are often used to conceptualize radicalization or recruitment;<sup>80</sup> the former

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<sup>70</sup> UNICEF/GOK (2012)

<sup>71</sup> Sexual Offences Act No. 3 of 2006, Laws of Kenya

<sup>72</sup> WHO, UNDOC and UNDP (2014) p 14-16

<sup>73</sup> FIDA (2013)

<sup>74</sup> Nzes (2014)

<sup>75</sup> Anderson and McKnight (2015); Nzes (2014)

<sup>76</sup> UN Security Council (2011)

<sup>77</sup> Burrige (2014)

<sup>78</sup> SUPKEM/IOM/GOK (2015)

<sup>79</sup> Borum (2011)

<sup>80</sup> Hassan (2012)

referring to negative factors within one's social surroundings that are likely to propel a vulnerable individual towards this path while the latter refers to the perceived benefits of joining an extremist organization. USAID also usefully refer to enabling factors – those contextual factors which allow such activities to take place.<sup>81</sup>

Mlula et al list a number of commonly identified factors in the rise in violent extremism in Kenya, including; the spillover of ideology, fighters and resources from Al-Shabaab's occupation of Somalia, external actors who have exploited this instability (such as Salafi ideology and links with the Arab world) a burgeoning Muslim youth population, socio-economic disparities and lack of political representation.<sup>82</sup>

Although Western governments often speak about the importance of combatting poverty in order to undermine radicalization, this is controversial and literature from many countries does not seem to support this.<sup>83</sup> However, Kfir notes that East Africa has been insufficiently examined.<sup>84</sup> Botha and Abdile, in their study of 88 former Al-Shabaab combatants in Somalia identified economic reasons as the primary push factor to recruitment (27%), while 39% mentioned economic reasons as the "catalyst" to joining up.<sup>85</sup> Several scholars support this observation of people joining up for offers of money or a salary.<sup>86</sup> Furthermore, organizations that support terrorism may also provide essential services and assistance.<sup>87</sup> Inequality rather than poverty *per se* may lead to alienation and frustration which can be exploited by recruiters.<sup>88</sup> UNDP carried out a large study in Kenya which found that economic factors are a source of frustration which makes youths vulnerable to narratives that invite them to channel their grievances into violent extremism.<sup>89</sup>

The importance of low education has again been controversial, partly because some terrorist organizations deliberately favor educated prospective recruits.<sup>90</sup> This does not appear to be the case with Al-Shabaab, to whom most Kenyan recruits are going.<sup>91</sup> Further, UNDP (2017) identified lack of parenting and an unhappy childhood as common threads in the stories of youths who had been radicalized.

UNDP also looked at the role of religion, and found that for the most part that it was used by recruiters to frame other grievances, with recruits having an overall low understanding of religious texts but a feeling that their religion was "under threat". Mlula et al however, pointed

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<sup>81</sup> USAID (2009)

<sup>82</sup> Mlula et al (2015)

<sup>83</sup> Kessels and Nemr (2016); Piazza (2011)

<sup>84</sup> Kfir (2008)

<sup>85</sup> Botha and Abdile (2014)

<sup>86</sup> Amble and Melagrou-Hitchens (2014); Bradbury and Kleinman (2010)

<sup>87</sup> von Hippel (2004); Kfir (2008)

<sup>88</sup> Piazza (2012)

<sup>89</sup> UNDP (2017)

<sup>90</sup> Bueno de Mesquite (2005)

<sup>91</sup> SUPKEM/UNDP/GOK (2015)

to the growing influence of extremist forms of Islam in the country, funded through external sources.<sup>92</sup> However, non-Muslims are also being recruited.<sup>93</sup>

Importantly, 71% of respondents in the UNDP study said that government actions had “tipped” them into recruitment. Botha and Van Metre amongst others have argued that stigmatization, harassment and marginalization by the Kenyan state and security forces are contributory factors in recruitment. Hence, efforts to combat terrorism often have the opposite effect.<sup>94</sup>

The term “returnees” refers to youths who have returned back to Kenya after training or fighting with Al Shabaab in Somalia. As noted, there are a large number in the coastal area. Some are undoubtedly disillusioned because the promised pay never came through.<sup>95</sup> Some have returned due to fear, because of the weakness or conflict within Al Shabaab,<sup>96</sup> and some come back with intent to carry out violent extremist activities within Kenya. The phenomenon of foreign fighters returning home from Syria and other parts of the world is now a major issue.<sup>97</sup> These people are now hardened, having witnessed extreme violence, and have skills in the use of weapons and explosives and networks with jihadists.<sup>98</sup> However, policies of home and host states are also critical to the reintegration or otherwise of foreign fighters.<sup>99</sup>

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<sup>92</sup> ICG (2012)

<sup>93</sup> Mkutu et al 2014

<sup>94</sup> Botha (2014); Van Metre (2014)

<sup>95</sup> Interview, SCORES personnel, Isiolo Town, 12 May, 2017

<sup>96</sup> Interview, County Commissioner, Isiolo Town, 9 May, 2017

<sup>97</sup> Barrett (2016); De Bie *et al* (2015)

<sup>98</sup> Byman (2015)

<sup>99</sup> Malet (2015)

# Mombasa Survey

## County Overview

Mombasa is a small metropolitan county on Kenya's coast and the second largest city after Nairobi. It is the site of an important regional port, boasts magnificent coral beaches and important historical sites and as such is a hub for local and international tourism. Its main economic sectors include tourism, industry, transport, water sports and fishing. It is highly populated with an estimated 1.2 million people in 230 km sq.<sup>100</sup> Geographically the county is interesting being divided by 2 creeks, Port Reitz and Port Tudor, creating an island upon which the old town is located amongst other developments. Likoni ferry then connects the island with the southern part of the county, while bridges connect the island to the north and west. There are 6 sub counties (see table 3) and both urban and semi-urban areas (such as Likoni).

Table 3: Sub-counties in Mombasa<sup>101</sup>

Sub-counties	Area (km <sup>2</sup> )	Wards
Mvita	14.8	Mji wa Kale/Makadara, Tudor, Tononoka, Ganjoni/Shimanzi and Majengo
Kisauni	106.1	Mjambere, Junda, Bamburi, Mwakirunge, Mtopanga, Magogoni, Shanzu
Nyali	22.9	Ziwa la Ng'ombe, Frere Town, Mkomani, Kongowea, and Kadzandani
Likoni	41.1	Mtongwe, Shika Adabu, Bofu, Likoni and Timbwani
Changamwe	16.0	Port Reitz, Kipevu, Airport, Changamwe and Chaani
Jomvu	29.0	Jomvu Kuu, Miritini and Mikindani
<b>Total</b>	<b>229.9</b>	<b>30</b>

Historically Mombasa has been a vibrant trading center for glass, brass, copper, iron and rhino horn, with established trade routes to China, Persia, and India. The area was originally inhabited largely by the Bantu Mijikenda people but has successively been colonized to a lesser or greater extent by Persians, Arabs, Portuguese and British. A slave trade existed under Arab rule and a plantation industry was serviced by slaves. Portuguese invaders occupied Mombasa from 1593 and built Fort Jesus in 1598, holding onto the port for 100 years. Later from 1888, the British gained control of the coastal area, leasing the coastal strip from the Sultan of Zanzibar. This was arguably then ceded to a newly independent Kenya in 1963, a matter of fierce debate which forms the basis of secession claims by the Mombasa Republican Council.

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<sup>100</sup> This figure is based on projections from the 2009 Census and a growth rate of 3.5% pa.

<sup>101</sup> Mombasa County (2013)

## ***Cross-Cutting Drivers of Crime and Violence***

Mombasa's history, culture and challenges tend to reflect those of the entire former Coast province, including Lamu, Kilifi and Kwale counties.<sup>102</sup> Cross-cutting drivers of crime and violence mentioned repeatedly in these areas include historical marginalization of the Coast, land issues, namely the lack of secure land tenure for indigenous coastal peoples, cultural and religious tensions, low standards of education and family breakdown.

### **Land and Marginalization**

The Coast has the largest concentration of landless indigenous peoples in Kenya.<sup>103</sup> Historically, under Arab rule many were workers on plantations, while under British rule this inequality was reinforced as around 9000 titles were issued to former plantation owners and others, while the Mijikenda were expected to make up the working class.<sup>104</sup> The coastal area was otherwise neglected. Post-independence, amidst land acquisition of choice plots by elites, some land adjudication and allocation for locals has taken place but has been fraught with difficulties.<sup>105</sup> Those given titles sometimes sold them “for peanuts”<sup>106</sup> only to find that later the land is very profitable and beautiful but they have no stake in it.<sup>107</sup> Much of the land still belongs to absentee landlords who live outside the country and have retained major political interest and influence.<sup>108</sup> Therefore indigenous coastal people rely on informal and customary agreements, or may be squatters who are vulnerable to eviction and have no security for loans. Ultimately this leads to poverty and inequality which feed into crime and violence patterns.

Members of the Coast Inter-Faith Council of Clerics (CICC), amongst others, noted that the land question at the Coast is a major focus of political rhetoric, and a “trump card” in campaigns, but is rarely addressed once people get into office.<sup>109</sup> The issue of expiring leases is especially complex. Land issues have led to several uprisings including Kaya Bombo in 1997, Mulung'unipa in 2007-2008 and the rise of the Mombasa Republican Council (to be discussed).<sup>110</sup> Frustrations over land are also an important part of radicalization narratives.

### **Family Issues**

Many people spoke of the early age at marriage and the twin problems of polygamy and divorce which is relatively easy under local religious laws. This leaves women with the burden of rearing

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<sup>102</sup> The former Coast Province consisted of what is now Lamu, Kilifi, Mombasa and Kwale Counties, since Kenya's new Constitution was enacted in 2013

<sup>103</sup> GOK (2009)

<sup>104</sup> Zelezer (1989)

<sup>105</sup> IPSOS (2013)

<sup>106</sup> IPSOS (2013)

<sup>107</sup> Interview, CEO of a beach hotel, Mombasa, 9 June 2017

<sup>108</sup> GOK (2009)

<sup>109</sup> Interviews with CICC members, Nyali, 6 June, 2017

<sup>110</sup> Mkutu (upcoming)

children alone whilst also attempting to work or run a business full time. In neighboring Kwale women noted that they cannot easily remarry because of the barriers to obtaining divorce papers, such as lack of ID cards amongst others. Thus, children are often unsupervised and vulnerable to unhealthy influences in their spare time, and drop out of school early, leaving them with few prospects. There is then an increased likelihood of becoming very young parents themselves, consuming drugs and alcohol, or even joining gangs or radical groups. A bishop noted that fathers were largely absent from their children lives leaving the parenting role to mothers who it was noted could not possibly handle all the discipline issues of their children singlehandedly.<sup>111</sup>

## Poverty and Unemployment

Poverty rates in Mombasa are said to be around 38% according to Kenya National Bureau of Statistics and unemployment was estimated at 15% in 2009,<sup>112</sup> although this figure is likely not to represent those in informal non-salaried employment. There is high labor migration from the rural areas amongst working age population aged between 15-64 years, but also many non-coastal people. The narrative of *wabara* (up-country people) and *wapani* (coastal people) was common in the discussion on employment as key state jobs were skewed against the locals, and outsiders are often given the skilled or semi-skilled employment opportunities. The most common salaried industries include family businesses, port, transport and tourism.<sup>113</sup>

Causes of poverty and unemployment are many. The County Integrated Development Plan (CIDP) mentions landlessness, high cost of living, lack of skills/education/training, lack of access to credit, HIV/AIDS, gender discrimination, poor resource management.<sup>114</sup> The tourist industry has been particularly hard hit by insecurity at the coast and travel advisories to avoid Kenya. A hotel manager stated, "People have been losing jobs and people are hungry. There is a lot of joblessness and hence insecurity."<sup>115</sup> Further, large unplanned settlements exist in the city and are growing; here living conditions are poor and vulnerabilities to crime and violence are high; these include Kisauni, Bangladesh, Magogo, Likoni, Longo and Bamburi.<sup>116</sup>

The relationship between poverty and crime and violence is complex and is not directly causal, according to Sharkey et al. Importantly, they note, that the most useful analysis is not at the level of the characteristics of the person, but rather the context in which they live; poor environments increase the opportunities for crime and violence, and also fail to protect young people from undesirable influences.<sup>117</sup> This may happen due to overcrowding, poor lighting, lack of secure physical barriers and low state presence which becomes replaced by other providers of services

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<sup>111</sup> Group interview CICC members, Nyali, Mombasa, 6 June, 2017

<sup>112</sup> KNBS (2009)

<sup>113</sup> Mombasa County (2015); KNBS (2016)

<sup>114</sup> Mombasa County (2013)

<sup>115</sup> Interview with CEO of a beach hotel, Mombasa, 9 June 2017

<sup>116</sup> Mombasa County (2013)

<sup>117</sup> Sharkey et al (2016)

and security such as gangs. As Sharkey adds, however, crime by wealthy people may be under-represented and under-researched because it is usually behind closed doors, rather than on the streets. The relationship between unemployment and crime is more direct and may result from the need to provide for the family, as well as depriving people of social bonds which might have prevented them from committing crimes.<sup>118</sup> As noted in the background section, there are links between poverty and radicalization narratives which highlight marginalization and also a direct link to recruitment due to offers of money which meet livelihood needs.

## **Education and Health**

The coastal area has suffered from marginalization in education, historically partly because “Christian” education, often led by missionaries, was not acceptable to the largely Muslim population. Currently there remains low investment, low quality, poor recruitment and high rates of school drop-out due to poverty and cultural differences. The Mombasa First County Integrated Development Plan (CIDP) 2013-2017 notes that literacy levels are around 86.3%. Enrollment at primary and secondary school is 81.1% and 32.5% respectively.<sup>119</sup> Schools are said to be under-resourced in terms of infrastructure. The Plan lists four youth polytechnics in the county, a technical training institute, a teacher-training college, one public university (The Technical University of Mombasa), four satellite campuses of public universities, and three satellite campuses of private universities.

In terms of healthcare, the County lists three public hospitals including a level 5 referral hospital and two level 4 hospitals (Port Reitz and Tudor), 35 level 2 and 3 public dispensaries and health centers. In the private sector there are 4 major private hospitals and 15 others.<sup>120</sup> There is a high doctor: patient ratio of around 1:10,000.<sup>121</sup> The Kenya Demographic Health Survey of 2014 found that Mombasa County’s fertility rate (live births per woman) is 3.2 which is lower than Kenya as a whole, though uptake of family planning is slightly less. Maternal health indicators are better than Kenya as a whole and uptake of vaccination is the same as the national average of 86%.<sup>122</sup>

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<sup>118</sup> Ibid

<sup>119</sup> Ibid.

<sup>120</sup> Mombasa County (2015)

<sup>121</sup> Mombasa County (2013)

<sup>122</sup> KNBS (2014b)

## Dynamics of Crime and Violence

This section begins with presenting the available quantitative data which provides an overview of crime and violence trends in the county. This is followed by detailed information on some of the specific forms of crime and violence which people saw as important, their dynamics and specific contributory factors as revealed by the qualitative component of the research and supplemented by secondary data.

### Overview of Crime and Violence

Figures 7 and 8 summarize quantitative survey data on perceived frequency of various types of crime and violence in Mombasa, and those which people feel most worried about.

Figure 7: Perceptions about frequency of crime (Mombasa)

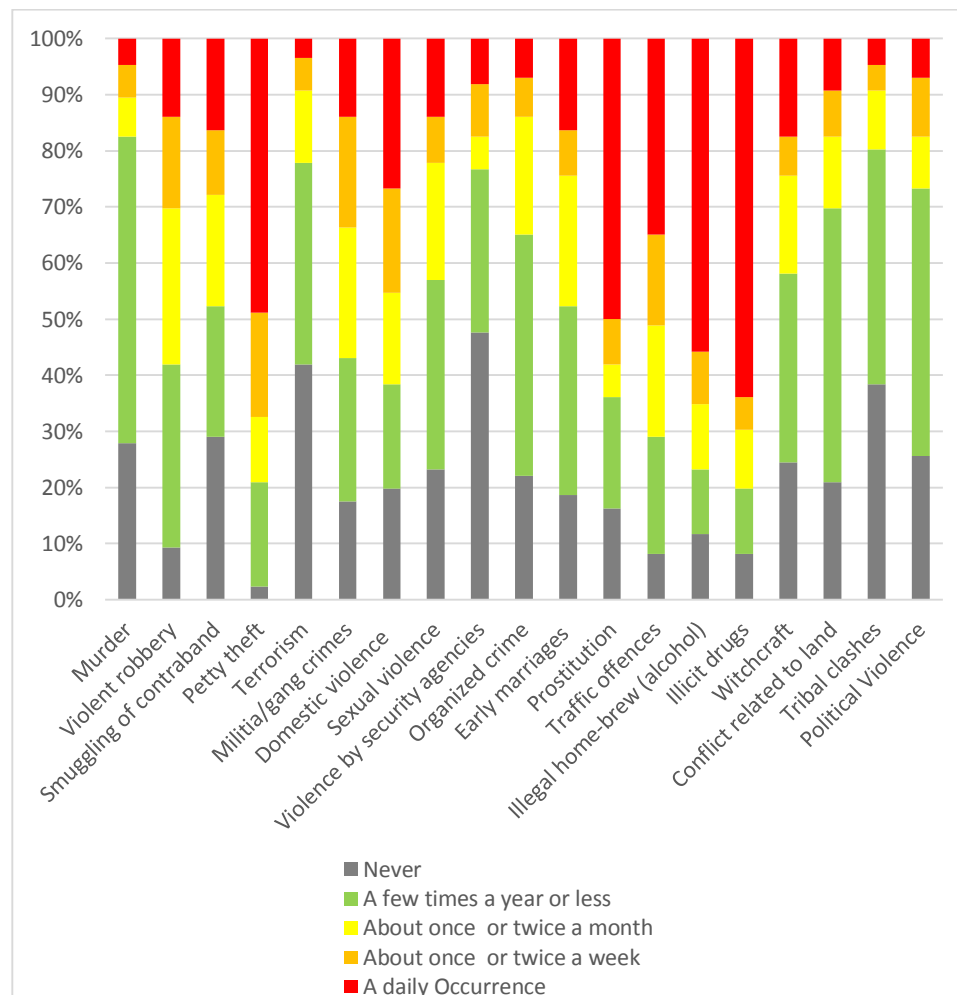
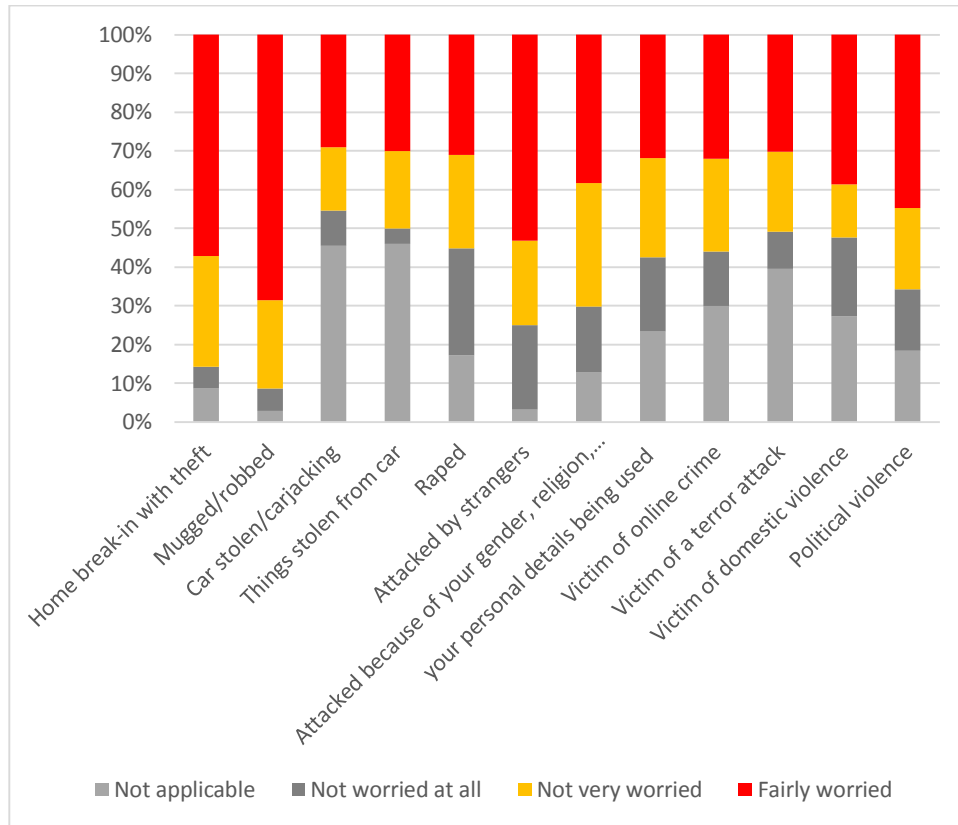
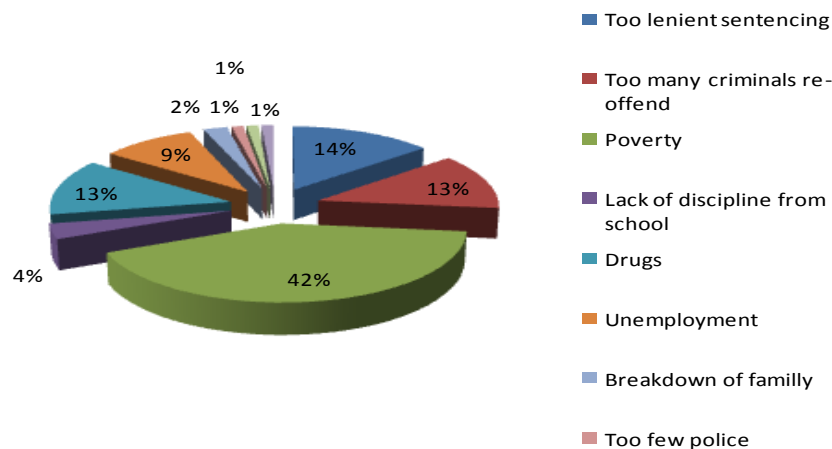


Figure 8: Worry about being a victim of crime (Mombasa)



When asked about the causes of crime and violence, people overwhelmingly felt that the most important cause was poverty (42%) (see Figure 9). Failure to deal with criminals effectively, and to stop them from reoffending were also mentioned or implied (27%). Crime attributed to drugs was surprisingly less (13%).

Figure 9: Perceived causes of crime and violence (Mombasa)



Police data was available for 2015 and 2016 (see Table 4). Notably high incidents are recorded for stealing or theft, assault, defilement, robbery with violence, possession of drugs and economic crimes. The figures are notably silent on offences by police officers, and offences against children. Under-reporting of crime to police is a well-recognized phenomenon and one which is explored in the following sections.

Table 4: Crimes in Mombasa County 2015 and 2016 (police records)

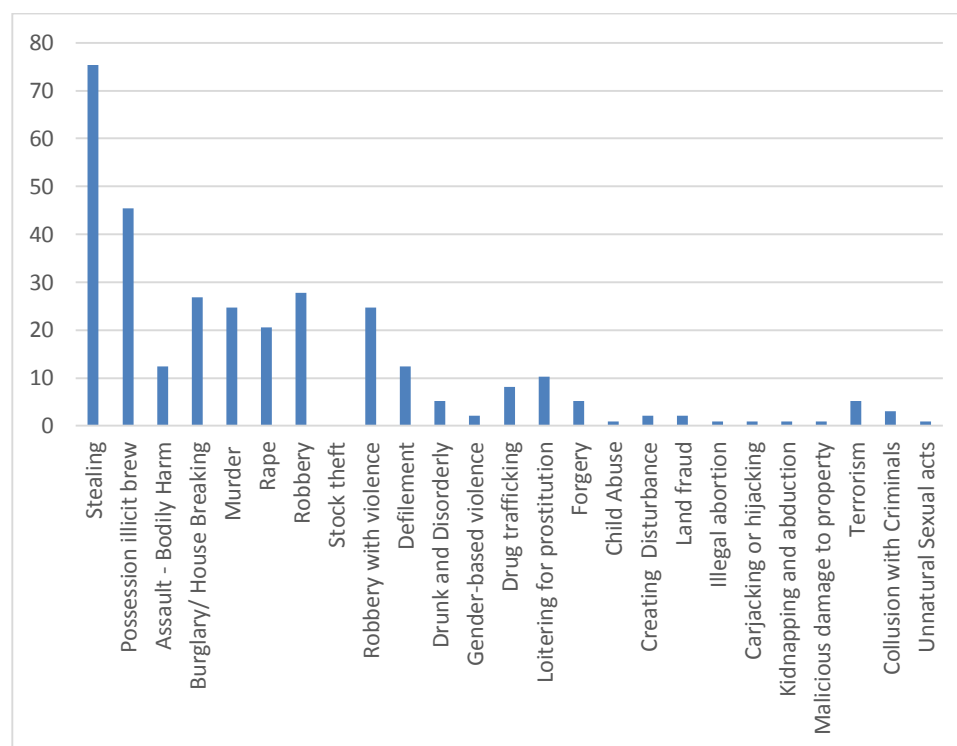
OFFENCE	CATEGORY OF OFFENCES	2015	2016	DIFF
HOMICIDES	A. Murder	22	30	+8
	B. Manslaughter	1	3	-2
	C. Infanticide	1	2	-1
	D. Procuring abortion	2	0	-2
	E. Concealing birth	1	0	-1
	F. Suicide	1	3	+2
	G. Attempted suicide	0	4	+4
	G. Causing death by dangerous driving	10	10	-
	<b>SUB-TOTAL</b>	<b>39</b>	<b>52</b>	<b>+13</b>
OFFENCES AGAINST MORALITY	A. Rape	22	18	-4
	B. Defilement	177	171	-6
	C. Incest	5	1	-4
	D. Unnatural offences [sodomy]	1	1	-
	E. Bestiality	1	0	-1
	F. Indecent assault	15	19	+4
	G. Sexual harassment	0	13	+13

	H. Abduction	4	4	-
	I. Bigamy	0	4	+4
	J. Gang rape	0	0	-
	<b>SUB-TOTAL</b>	<b>225</b>	<b>231</b>	<b>+6</b>
OTHER OFFENCES AGAINST PERSONS	A. Assault	395	383	-12
	B. Creating disturbance	124	152	+28
	C. Affray	7	7	-
	D. Grievous harm	12	6	-6
	<b>SUB-TOTAL</b>	<b>538</b>	<b>548</b>	<b>+10</b>
ROBBERIES	A. Robbery	17	21	+4
	B. Robbery with violence	92	87	-5
	C. Carjacking	0	0	-
	D. Robbed of motor vehicle	2	1	-1
	E. Cattle rustling	1	0	-1
	<b>SUB-TOTAL</b>	<b>112</b>	<b>109</b>	<b>-3</b>
BREAKINGS	A. House breaking	94	75	-19
	B. Burglary	26	50	+24
	C. Other breaking	67	41	-26
	<b>SUB-TOTAL</b>	<b>187</b>	<b>166</b>	<b>-21</b>
THEFT OF STOCK	Theft of stock	9	10	+1
	<b>SUB-TOTAL</b>	<b>9</b>	<b>10</b>	<b>+1</b>
STEALING	A. Handling stolen property	29	19	-10
	B. Stealing from person	44	173	+129
	C. Stealing by tenants/lodgers	3	1	-2
	D. Stealing from a building	12	10	-2
	E. General stealings	526	502	-24
	<b>SUB-TOTAL</b>	<b>614</b>	<b>705</b>	<b>+91</b>
THEFT BY SERVANT	A. Stealing by directors	2	0	-2
	B. Stealing by agents	12	9	-3
	C. Stealing by employee/servant	125	109	-16
	<b>SUB-TOTAL</b>	<b>139</b>	<b>128</b>	<b>-11</b>
VEHICLE AND OTHER THEFTS	A. Theft of m/v	43	35	-8
	B. Theft from locked m/vs	17	24	+7
	C. Theft of m/v parts	31	51	+20
	D. Theft of motor cycle	19	25	+6
	<b>SUB-TOTAL</b>	<b>110</b>	<b>135</b>	<b>+25</b>
DANGEROUS DRUGS	A. Possession	346	170	-176
	B. Handling	0	0	-
	C. Trafficking	149	73	-76
	D. Cultivating	0	0	-
	E. Usage	15	3	-12
	<b>SUB-TOTAL</b>	<b>510</b>	<b>346</b>	<b>-164</b>
TRAFFIC OFFENCES	A. Taking vehicle w/o lawful authority	4	2	-2
	B. Driving under influence of alcohol/drugs	0	0	-
	<b>SUB-TOTAL</b>	<b>4</b>	<b>2</b>	<b>-2</b>

CRIMINAL DAMAGE	A. Malicious damage	92	77	-15
	B. Arson	6	4	-2
	C. Negligent acts	3	2	-1
	D. Other criminal damage	7	3	-4
	<b>SUB-TOTAL</b>	<b>108</b>	<b>86</b>	<b>-22</b>
ECONOMIC CRIMES	A. Obtaining by false pretence	157	199	+42
	B. Currency forgery	3	4	+1
	C. False accounting	2	0	-2
	D. Conspiracy to defraud	3	0	-
	E. Issuing bad cheque	4	0	-
	F. Other fraud/forgery offences	14	11	-3
	<b>SUB-TOTAL</b>	<b>183</b>	<b>214</b>	<b>+31</b>
CORRUPTION	A. Soliciting for bribe	2	0	-
	B. Accepting bribe	2	0	-
	C. Accepting free gifts	0	0	-
	D. Demanding by false pretence	2	0	-
	E. Other corruption offences	0	0	-
	<b>SUB-TOTAL</b>	<b>6</b>	<b>0</b>	<b>-6</b>
OFFENCES INVOLVING POLICE OFFICERS	A. Soliciting for bribe	1	0	-1
	B. Accepting bribe	0	0	-
	C. Accepting free gifts	0	0	-
	D. Demanding by false pretence	2	0	-2
	E. Other criminal offences	5	1	-4
	<b>SUB-TOTAL</b>	<b>8</b>	<b>1</b>	<b>-7</b>
OFFENCES INVOLVING TOURISTS	A. Bag snatching	0	0	-
	B. Other offences against tourists	0	0	-
	C. Other offences	0	0	-
	<b>SUB-TOTAL</b>	<b>0</b>	<b>0</b>	<b>-</b>
OFFENCES AGAINST CHILDREN	A. Child Stealing	0	0	-
	B. Child Trafficking	0	0	-
	C. Cruelty To Child	0	0	-
	D. Other Offences Against Children	0	0	-
	<b>SUB-TOTAL</b>	<b>0</b>	<b>0</b>	<b>-</b>
OTHER PENAL	Other penal code offences	<b>127</b>	<b>364</b>	<b>+237</b>
<b>GRAND TOTAL</b>		<b>2919</b>	<b>3097</b>	<b>+178</b>

A survey by National Crime Research Centre in 2016 spoke to around 100 people in each county who listed the common crimes taking place in their localities. In Mombasa, the most commonly mentioned crime was stealing, followed by possession of illicit brew, robbery and assault. Terrorism was also mentioned more than in other counties (see Figure 10).

Figure 10: Commonly mentioned crimes in Mombasa County, 2016<sup>123</sup>



## Gangs

Several gangs operate in Mombasa. In December 2016, the Ministry of the Interior banned 90 named gangs in Kenya; among them were a number based in the coastal area.<sup>124</sup> Members of a peace committee in Likoni noted, “It is a major problem in Mombasa.” They cited the case of a new ward and settlement called Timbwani which has a population of around 60,000, but also has 55 gangs and is considered to be criminal hideout. They also identified 25 other gangs in the sub-county through *barazas* (public meetings).<sup>125</sup> In a crime mapping report by National Crime Research Centre in 2016, the following 23 gangs were named by the respondents some of which were mentioned by the informants for this study: Al Shabaab, Mombasa Republican Council (see below), Bagdad Boys, *Boda boda* operators, Wakali Kwanza/Wakali Wao/Wakali Kabisa, Funga File, Waiyo, Wasafi, Mawayu, Kumi Bila, Boko Haram-Shoda, 40 Brothers/Thieves, KK, #86Team, 9 Boys, Ten Town, Vietnam, Kunku, List Chafu, Sokoni Youth and Shymbo 12.<sup>126</sup>

The terminology of gangs may be used to describe a wide spectrum of activity, from simple gatherings of young people, to groups engaging in low level criminal activities such as use of soft drugs or low-level territorial conflicts or petty crimes, and then at the extreme, to groups involved

<sup>123</sup> NCRC (2016)

<sup>124</sup> Muriuki (2016)

<sup>125</sup> FGD, Peace Committee Likoni, Central Mombasa, 7 June 2017.

<sup>126</sup> NCRC (2016)

in full-blown organized crime or violent crime. This distinction is important because indiscriminate and excessive punishments are often used by the police against youths deemed to be part of “gangs” without due process, as will be described.

Gangs composed largely of juveniles go by several names such as: *Old Town Youth Gang*, *Wakali Wao*, (the toughest of them all) *Nyuki* (bees), *Watalia* (they will cry), *Chafu* (dirt), *Wakali Kwanza* (toughest first), *Akili za Usiku* (intelligence of the night), *64 Gang*, *Memory Gang*, and *Crazy Boys*. *Kapenguria Six*, *Wajukuu wa Bibi* (grandchildren of the grandmother), *Young Thugs and Born to Kill* are operating around Likoni, while *Gaza* and *Spanish Sparta* gangs are in Changamwe and *Bumayeye* and *Vietnam* are in Ziwa la Ng’ombe in Mvita sub-county.<sup>127</sup> Youngest members may be 11 years,<sup>128</sup> or even 7 years old.<sup>129</sup> They may carry knives and some were said to be using Bugizi (the date-rape drug Rohypnol) to give them ‘courage and confidence’ to engage in all manner of crimes such as extortion, petty theft, bag snatching, pick pocketing and so on, which in turn enabled them to continue the drug habit. Some of these youths have acquired a reputation for sexual assault in the form of sucking women’s breasts if they did not have valuables or money. The County Security Advisor state that they were “more feared than robbers”.<sup>130</sup>

There are also more mature gangs such as the ‘Forty Brothers’. These were said to be well organized and carrying weapons such as pistols<sup>131</sup> in addition to machetes and other form of crude weapons. They may commit violent robbery on houses and businesses including mpesa agents, often at night, and often with the assistance of *boda bodas*. A local hotel manager described the gangs,

They are young boys who have no second thought about hacking a person they think stands in their way of getting what they want. They are vicious people acting under influence of strong hallucinatory drugs, if you refuse to cooperate you end up with a knife. These groups often barricade the Old Malindi Road, sometimes for an hour, terrorize motorists and rob them of their valuables before strolling to their hideouts or melting into the crowds. They are however, not restricted to the streets.<sup>132</sup>

Youths mentioned the presence of a cartel like gang that specialized in stealing number-less cars leaving the port of Mombasa for up-country. They mentioned that this cartel had adopted a strategy of soliciting for lifts/rides up-country only to plan how the cars would be stolen. This

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<sup>127</sup> It was beyond the scope of the work to accurately map the areas where the gangs are operating. This was simply information offered by interviewees and does not indicate exclusivity to those areas.

<sup>128</sup> Interview, senior police officer, Mombasa, June 2017.

<sup>129</sup> FGD, community police in Likoni, 7 June 2017

<sup>130</sup> Interview, County Security Advisor, Mombasa, 8 June, 2017

<sup>131</sup> FGD, youths in Changamwe, 10 June 2017

<sup>132</sup> Interview, CEO of beach hotel, Mombasa, 9 June, 2017

could involve the passenger saying they needed to stop to use a toilet for instance while being a disguise to hijack the car.<sup>133</sup>

Hotspots for gang crime and petty theft by youths include Kisauni and Mvita sub-counties, including Majengo ward in Mvita, and spreading to Ziwa la Ng'ombe ward in Nyali sub-county and popular beaches such as Pirates and Nyali. People narrated how they had been accosted by gangs on Pirates beach, who demanded for valuables. In Old Town, youths armed with knives were said to have been attacking tourists and tuk-tuk operators, robbing them of money and other valuables. Others described, "Sometimes they pretend they are going jogging and they snatch your bag."<sup>134</sup> Phone thefts were said to be rampant; Mwembe Tayari adjacent to Old Town in Mvita sub-county is one area where this is prominent, and stolen phones are then resold. A police commander noted that some gang members have attacked police and he had even seen cases of knifing of parents by juveniles.<sup>135</sup> A local hotel manager noted his own staff were being affected greatly by the youth gangs in the slums which was also affecting productivity. He noted that gang members were being protected by police and politicians.<sup>136</sup>

Weddings and funerals, especially those of gang members themselves, are an important context for gang crime and violence, including territorial conflict.

They go to bury their [gang member] and youths say, "You cannot come to our side to bury." In every burial there are gangs fighting for territory, it started when Sheikh Abdi Rogo was buried. The gangs have now penetrated even burials, it is the youths that go to burials, not women. After burial, the stealing and fighting starts.<sup>137</sup>

A local women's representative concurred,

I lost my sister's brother. They buried the youth and we got the information that after burial they were planning to fight. In burials where a gang member is killed, the gangs are protecting the territory and making sure other gangs do not come to the funerals.<sup>138</sup>

Amidst festivities, gangs may also commit crimes against those attending. *Wakali Kwanza* was said to frequent funeral meetings (*matangas*) and weddings to engage in petty crimes but also sexual assault and rape. This they may do in coordination with the DJ who may play a certain

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<sup>133</sup> FGD, youths in Changamwe, 10 June, 2017

<sup>134</sup> Interview, police commander, Mombasa, 9 June, 2017

<sup>135</sup> Interview, police commander, Mombasa, 9 June, 2017

<sup>136</sup> Interview, CEO of beach hotel, Mombasa, 9 June 2017

<sup>137</sup> FGD, chiefs, Mombasa Town 8 June 2017

<sup>138</sup> Interview, Sauti ya Wamama member, Mombasa Town 8 June 2017

song to signal when to attack.<sup>139</sup> Although the law puts a curfew on these events there is a lack of enforcement and they usually go on all night, giving more opportunity to the gangs.<sup>140</sup>

Various factors were mentioned in the gang problem. An administrator noted the importance of peer pressure and group identity, “They influence each other as they smoke and dance together. Some...adopt similar hairstyles and tattoos.”<sup>141</sup> Some were said to have started as football teams. Other factors noted included divorce,<sup>142</sup> poor parenting,<sup>143</sup> school drop-out,<sup>144</sup> unemployment and drugs. A senior police officer noted, “There is pressure to get money to buy drugs. In the absence of money they kill. When the drug issue was addressed, they went down.”<sup>145</sup> A civil society officer concurred that drug addiction is a big part of the problem of theft by gang members.<sup>146</sup> Some noted that the groups/gangs did not usually have any political aims, although others noted that they were linked to politicians and even the security officers. A chief noted that “The gangs are linked with politicians. Each politician has their own gangs in both camps. One way forward is sitting with the politicians and talking with them as each of them owns a group.”<sup>147</sup> Another chief said that in his location, “if they are taken to court, they are bailed out by politicians.”<sup>148</sup> Gangs are often strengthened and financed by politicians prior to elections, but may later be abandoned, leading to crime and violence to get money.<sup>149</sup>

Police and public alike may be at a loss to deal with these youth groups and gangs and mob justice or summary execution is a common response. This is especially the case when the members are armed, but sometimes when they are not. On 18<sup>th</sup> May, 2017, four gang leaders of *Wakali Kwanza* and *Wakali Wao* were shot in a police operation while a fifth was killed by a mob. 10 were arrested.<sup>150</sup> The full circumstances of the confrontation and the degree to which the gang leaders resisted the police are not indicated in the report.

In May 2017, in Likoni, 3 youths described as aged 20 or younger and belonging to a local gang were executed by members of the public after they committed violent robbery from a shop in the area.<sup>151</sup> A senior police officer noted that mob justice is common, with at least two deaths every week for crimes such as theft. Sometimes an innocent person may be accused and

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<sup>139</sup> FGD Sauti ya Wamama, Likoni, 7 June, 2017

<sup>140</sup> FGD, Ziwa la Ng’ombe, 8 June, 2017

<sup>141</sup> Interview, senior administrator, Mombasa, 8 June, 2017.

<sup>142</sup> Interview, senior administrator, Mombasa, 8 June, 2017.

<sup>143</sup> FGD, community policing group Likoni, Mombasa, 7 June, 2017

<sup>144</sup> Interview, senior administrator, Mombasa, 8 June, 2017.

<sup>145</sup> Interview, senior police officer, Mombasa, 8 June, 2017.

<sup>146</sup> Interview, local NGO leader, Ziwa la Ng’ombe, 8 June, 2017

<sup>147</sup> FGD with chiefs, Mombasa Town, 8 June, 2017

<sup>148</sup> FGD with chiefs, Mombasa, 8 June, 2017

<sup>149</sup> Comments made in Crime and Violence Prevention Training of Trainers workshop, 16 January, 2018, Kenya School of Government.

<sup>150</sup> Ahmed (2017a)

<sup>151</sup> Interview, local peace activist, Likoni, Mombasa 7 June, 2017.

mobbed.<sup>152</sup> According Haki Kenya, the victims are often aged between 13 and 19 years, and areas affected include Kibokoni, Old Town and other parts of Mvita sub-county, as well as Likoni, Jomvu and Kisauni sub-counties.<sup>153</sup>

Another approach being used to address the gang problem is profiling them. In May 2017, the police released 24 names and photographs of juvenile criminal gang members blamed for increasing crime and robberies in Mombasa, especially Old Town.<sup>154</sup> Photos of the accused reveal some very young faces, raise questions about where and how the photos and names were acquired and whether or not they are even genuine. The photos could contribute to mob justice against the accused, or even cases of mistaken identity. Mohammed Bobocha, a gang leader, pictured among the 24, was killed by a mob in the month after the photos were published.<sup>155</sup> A further list was released in July in which two girls were pictured and the accused were given 10 days amnesty. Six youths responded, presenting themselves to police, accompanied by civil society representatives, representatives of human rights organizations and family members.<sup>156</sup>

### **Mombasa Republican Council**

The Mombasa Republican Council (MRC) defines itself as a social movement which cites long years of marginalization of the coastal region and land injustices against indigenous coastal peoples. The movement challenges the validity of the agreements of 1895 and 1963 which lead to the Coast's incorporation into Kenya which were made without consultation of local peoples. '*Pwani si Kenya*' (the Coast is not part of Kenya) is their call, as they argue for secession of the coastal peoples on the 19 km wide strip of coastline.<sup>157</sup> MRC have sought registration as a civil society organization but have also been variously accused of links to militia violence leading to their being among the list of banned organizations/gangs in 2013; however, they have since been reinstated. There may be links between MRC and other secessionist movements on the East Africa coast, and these may reflect the aspirations of absentee landlords.<sup>158</sup> The movement is strong in Kwale County to the south – where the chair has his home and there are a large number of sympathizers and recruits, but also has sections in Mombasa.

### **Violent Extremism**

The County Commissioner saw radicalization and recruitment into violent extremism as the foremost security threat in Mombasa. For youths in Mombasa the main concern is the high numbers who are being recruited to join Al Shabaab for training or combat in Somalia. Official sources note that the majority of Kenya youths who have joined Al Shabaab have come from

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<sup>152</sup> Interview, senior police officer, Mombasa, 8 June, 2017: See YouTube (2016)

<sup>153</sup> Mkongo (2017)

<sup>154</sup> Onsarigo (2017)

<sup>155</sup> Ahmed (2017b)

<sup>156</sup> Youtube (2017)

<sup>157</sup> Willis and Gona (2013); Kamau and Beja (2016)

<sup>158</sup> Mkutu (upcoming)

coastal counties of Kilifi, Mombasa and Kwale.<sup>159</sup> While some may have been disillusioned with Al Shabaab, and perhaps with its ideals, others may be involved in forming bases within Kenya.

Clerics in Mombasa said “You cannot go to 4-5 houses before you hear of the radicalization problem.”<sup>160</sup> They related the story of a Form 4 boy (aged 16) whose parents observed him coming in late and then behaving strangely. Shortly afterwards he disappeared and the parents received a brief call from him saying “Where I am, I am safe, do not worry.” They could not call back. The scenario is said to be a common one, as they noted. “There are so many disappearances.”<sup>161</sup> Although juveniles are among those radicalized, according to the peace committee, most commonly the youths are older than those involved in juvenile gangs.

In 2014 Musa Mosque in Mombasa became associated with recruitment and radical preaching by Sheikh Abubakar Shariff (aka Makaburi) who was killed after police linked him to a massacre on a church in March 2014.<sup>162</sup> The mosque was stormed by police in February of that year, and 5 community members and one police officer died in the confrontation. For a time, it was renamed Masjid Shuhadaa (Martyr’s Mosque).<sup>163</sup> At the time a local Sheikh recounted the speeches being given in such mosques by recruiters, “I cannot see a man here, if you are a man, put up your hand.” This they would follow with promises of money.<sup>164</sup>

Some youth are given a gun and offered a monthly salary of 50,000 KShs (approx. \$500 US) for joining up before even being asked to fight (although several stories are given of this money not coming through).<sup>165</sup>

In terms of enabling factors, in Majengo that there has been division between youths and Sheikhs in the mosques, with specific disagreements over the salary of Sheikhs and the distribution of food in the Mosque. “Noone addressed them, this continued and the youths decided to take advantage. It started slowly by slowly and noone did anything.” Youths were noted to have taken over some mosques and appointed their own leaders.<sup>166</sup> This division has been one of the enabling factors in radicalization. Indirectly, the exposure to violence from a young age, as previously described, may reduce resistance to new forms of violence. Further in a previous study, drug addiction was a push factor for radicalization since monetary incentives were offered.<sup>167</sup> Sometimes job offers are made which turn out to be recruitment for training in violent extremism.<sup>168</sup>

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<sup>159</sup> Interview, human rights activist, 12 April, 2016.

<sup>160</sup> Group Interview CICC members, Nyali, Mombasa, 6 June, 2017.

<sup>161</sup> Group Interview CICC members, Nyali, Mombasa, 6 June, 2017.

<sup>162</sup> Sanga and Mwahanga (2014)

<sup>163</sup> Mkutu et al (2014)

<sup>164</sup> Ibid.

<sup>165</sup> Group Interview, CICC members, Nyali, Mombasa, 6 June, 2017

<sup>166</sup> Mkutu et al (2014)

<sup>167</sup> Mkutu et al (2014)

<sup>168</sup> Group Interview CICC members, Nyali, Mombasa, 6 June, 2017

In terms of the context and targets of radicalization, it was noted that while mosques and madrassas had been sites of radicalization, this was shifting into online radicalization through social media platforms. Recruiters were said to be targeting youths mainly aged 15-23, and that this was increasingly including girls.<sup>169</sup> Vulnerable individuals included both manual workers and wealthier people such as high school students, and graduate professionals. A Sheikh noted that high school teachers, madrassa tutors or even Sunday school teachers were among the recruiters.

A new challenge for Mombasa is the return of undocumented numbers of youths from Somalia. Some of them have deserted due to lack of promised remuneration, while others remain allied to the objectives of Al Shabaab and may even be part of internal terror cells with a specific mission or strategy. Some were said to be given missions to execute, under the command of cells who act anonymously.<sup>170</sup>

Many of these are in hiding, facing threats all round from state security and Al Shabaab sympathisers, as well as rejection by their own communities who fear and mistrust them. Amnesty for these people has been promised on occasion but is far from certain. A 10-day amnesty was announced in April 2016 to allow returnees to come forward for de-radicalization, rehabilitation and monitoring programs. However the official position on returnees has been confusing, inconsistent and lacking in policy. In May 2016, the then Mombasa Senator urged the government to clarify again its position on amnesty since youths were not assured of their safety.<sup>171</sup> In neighboring Kwale locals told of returned youths who had been deliberately targeted and killed by police. As a Muslim professional noted however, targeted killings may be even more complicated and sinister, "Some, the recruiters/agents will finish them. It's a big syndicate, the security are aware. The disappearances are not clear."<sup>172</sup>

## **Terrorism**

From 2012-2016 the following data is available from ACLED,<sup>173</sup> which is based on media reports. Mombasa saw 17 attacks likely to be carried out by violent extremists, in which 31 people died (including police and occasionally the extremists themselves). Police launched 20 counter-terror operations against terror suspects, killing 29. Some of the suspects were unarmed at the time. Three radical clerics (among them Sheikh Aboud Rogo, Sheikh Ibrahim Omar and Sheikh Abubakar Shariff also known as Makaburi), and two moderate clerics (Sheikh Salim Bakari Mwarangi and Sheikh Mohammed Idris) were noted to have been killed over that time. However,

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<sup>169</sup> Group Interview CICC members, Nyali, Mombasa, 6 June, 2017

<sup>170</sup> Interview with Muslim professional, name withheld, Nyali, Mombasa, 6 June, 2017

<sup>171</sup> Ahmed (2016)

<sup>172</sup> Interview with Muslim professional, name withheld, Nyali, Mombasa, 6 June, 2017

<sup>173</sup> ACLED (n.d.)

IRIN lists several more clerics and others killed by both police and by radical youths from mid-2011 to 2014.<sup>174</sup>

Some of the terror incidents included the church shooting in Likoni in March 2014 and several grenade attacks, as well as the failed attack on Mombasa central police station by three women in September 2016 in which all three were shot dead.<sup>175</sup> They were said to have been aligned with the slain radical cleric Sheikh Aboud Rogo. It is also worth noting that several of the terror incidents were revenge attacks following police operations and killings.<sup>176</sup> A senior police officer stated that anti-terrorism security measures are high in Mombasa ‘All churches are armed, weddings are armed, malls are armed and public functions are all protected.’ Sea and road links are also guarded and many illegal immigrants have been deported.<sup>177</sup>

Religious tensions in Mombasa are closely related to the marginalization of indigenous peoples who mostly identify as Muslim, and their resentment of outsiders whom they see as having taken land and opportunities. However, relations have been fairly peaceable until recent years with the rise of terrorism and Kenya’s role in global anti-terrorism activities, allied to the USA. An important local issue in religious tension is counter-terrorism operations by the state and the police as noted above, in which they are accused of profiling of Muslims, and of committing human-rights offences including extra-judicial killings of Muslim clerics. Clerics involved in inter-faith activities have also been targets of radical killings, illustrating the determination by some not to have unity, and deterring others from being part of this important peace-making role. As noted above, ACLED lists 3 prominent extremist clerics and 2 moderates who have been killed but Haki Africa list 8 clerics of whom 4 are described as having openly extremist teachings, and several others who have been summarily killed by unknown assailants.<sup>178</sup>

Several of the terrorist and counter-terrorist incidences noted above were carried out on places of worship which has taken the issue beyond a few individuals to affect whole religious communities. As noted by a Catholic Father “You only need to attack one mosque and it will appear like it’s a religious conflict.”<sup>179</sup> Indeed, radical narratives often make use of attacks on Muslims to say that Islam is under threat. When the police stormed Musa Mosque in February 2014, worshippers were upset that this had been done during Friday prayers, and that police had walked through the mosque with their shoes.<sup>180</sup> Church attacks include the shooting in Joy Jesus Church, Likoni in March 2014 in which 6 died and 19 others were injured,<sup>181</sup> an earlier grenade attack on the Earthquake Miracle Ministries church in Likoni in June 2013 in which 12 were

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<sup>174</sup> IRIN (2014)

<sup>175</sup> Ochami and Ombati (2016)

<sup>176</sup> Interview, a senior police officer, Mombasa, 8 June 2017.

<sup>177</sup> Interview, a senior police officer, Mombasa, 8 June 2017.

<sup>178</sup> IRIN (2014)

<sup>179</sup> PBS Newshour (2013)

<sup>180</sup> Mkutu et al (2014)

<sup>181</sup> BBC (2014)

injured,<sup>182</sup> and the burning of the Salvation Army church, Majengo in October 2013 (which was a revenge for the killing of Sheikh Omar).<sup>183</sup>

## Drug and Alcohol Abuse

Informants called the drug problem *swala nyeti* (a serious issue) and *donda ndugu* (malignancy or gangrene).<sup>184</sup> It was noted that all manner of hard and soft drugs were being used openly. A community leader commented, “In my assessment, the government has been defeated in this war.”<sup>185</sup> Commonly used drugs include hard drugs such as cocaine and heroin, and soft drugs such as *bhang* (marijuana), *miraa* and *mogoka* (leaves which are chewed to bring on a mild stimulant effect). The latter are popular amongst Muslim women and some are concerned that they are associated with alcohol use and prostitution at social gatherings.<sup>186</sup> There are also pharmaceuticals such as *bugizi* (rohypnol, a highly potent tranquilizer used also as a date-rape drug) being imported and supplied by cartels.<sup>187</sup>

Peer pressure to use drugs is high and youths with few prospects and low levels of education are easy targets for drug pushers who offer free drugs to get people started.<sup>188</sup> A recent survey by NACADA of 1819 people aged 15-65 living in the Coast region revealed the following results in Mombasa (which was in general the worst of all coastal counties) (see Table 5).

Table 5: NACADA Survey Results on Drug and Alcohol Use in Mombasa<sup>189</sup>

	Alcohol	Tobacco	<i>Khat</i>	Prescription Drugs	<i>Bhang</i>	Heroin	Cocaine
Dependency	15.9%	20.1%	14%	2.2%	16.2%	15.9%	5.7%

Importantly, males were much more highly represented than females. Key drugs amongst the younger ages (15-24) were the prescription drugs; this is consistent with information given in interviews above. Interestingly, heroin use was highest in the older ages (35-65).

The situation is predisposed by Mombasa’s port and coastline with several potential unmanned entry points, and aided by corruption<sup>190</sup> leading to impunity for drug dealers and barons. Warehouses in the rail area (known as godowns) were said to be used for storage of drugs hidden

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<sup>182</sup> Mwakio and Ombati (2013)

<sup>183</sup> Akwiri (2013)

<sup>184</sup> Group Interview CICC members, Nyali, Mombasa, 6 June, 2017.

<sup>185</sup> Group Interview CICC members, Nyali, Mombasa, 6 June, 2017.

<sup>186</sup> Ali (2014)

<sup>187</sup> Interview, senior police officer, Mombasa, 8 June 2017

<sup>188</sup> Group Interview CICC members, Nyali, Mombasa, 6 June 2017.

<sup>189</sup> NACADA (2016)

<sup>190</sup> Interview, a senior police officer, Mombasa, 8 June, 2017.

amongst other cargo.<sup>191</sup> International Narcotics Control Board (INCB, 2006), noted that with increased control of traditional drug dealers routes in the Netherlands and Spain, East Africa region became the route used by drug leaders. The warning followed the discovery of cocaine worth 6.4 billion KShs (approx. US \$64 million) in Malindi and Nairobi on December 14, 2006, which was later incinerated.<sup>192</sup> In 2014, a vessel containing heroin worth 1.3 billion KShs (US \$13 million) was also destroyed while still at sea.<sup>193</sup>

A chief noted that children are used in transportation of drugs and paid well for this.

*Children are used as conduits. You find a child of 13 years with a lot of money. Why would they need to go to school? The unga<sup>194</sup> comes from Afghanistan. If the teachers speak about the use of children in transporting drugs, they are threatened and beaten by the gangs.<sup>195</sup>*

Children involved in the drug trade may be even more vulnerable than child soldiers because their plight is hidden and because their lives are in danger.<sup>196</sup>

In terms of repercussions, NACADA noted that risky sex was associated with drug use; 9.5% of people reported sleeping with someone other than their usual partner whilst under the influence, and many of these were not using condoms. Other problems mentioned included needle sharing, infections and blood clots following injection of heroin or cocaine. Thus, HIV and other sexually transmitted infections, as well as unplanned pregnancies are likely to be common sequelae of drug and alcohol use. Moreover, drugs and alcohol resulted in high rates of injury to self or others, absenteeism from school or work, and diversion of family resources to fund the habit.

Several “swoops” on drug cartels, and arrests of drug barons in the Coast are reported in the media, along with allegations of involvement by some prominent Kenyan business people, politicians and police.<sup>197</sup> Such crackdowns may be criticized for their lack of consistency.<sup>198</sup> In the process, it is usually low-income communities who are targeted, and not the high-level actors. In Mombasa the communities are facing the problem of manipulation by the state, the drug groups and the elite political sector, and are permanently caught between multiple power systems. Community policing members noted that the police would rather be responsible for policing drugs because they are able to obtain bribes “The CP does not work on it as the drugs

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<sup>191</sup> Ibid

<sup>192</sup> Pflanz (2006)

<sup>193</sup> Rugene and Mwagefa (2014)

<sup>194</sup> Unga is a swahili word, meaning flour but in this case it is being used to describe the powdered cocaine

<sup>195</sup> FGD with chiefs, Mombasa Town, 8 June 2017.

<sup>196</sup> Dowdney (2003)

<sup>197</sup> Malemba (2017)

<sup>198</sup> Dowdney (2003)

are the ATM for the police.”<sup>199</sup> Youths in Changamwe concurred that the police are complicit in the drug problem.<sup>200</sup>

### ***Boda Boda, Crime and Accidents***

*Boda boda* (motor bike taxis) were said to be an important contributor to the economy in Mombasa, and also may be keeping youths out of crime and drugs by giving them useful employment.<sup>201</sup> On the other hand a range of crimes and violent activities were associated with *boda bodas*; operators were often a target for violent assault and theft of bikes, or were involved in conflicts among themselves, mob justice on behalf of other operators, thefts, carrying thieves or stolen goods, trafficking drugs and illegal homebrew (alcohol), political heckling and even involvement in murders.<sup>202</sup> Tourists or other members of the public are often victims, and in terms of timing, weekends at the end of the month when people have been paid, and festive seasons were particular “hot times” for the various crimes relating to the sector. Drugs may be transported overnight or very early in the morning. Operators often fail to pay owners of bikes (for hire) which may also be seen as a crime. Accidents, criminal activities and arrests all have enormous impact on the families of the operators. Poverty, drug abuse, peer pressure and lack of training were said to be key risk factors in *boda boda* related crimes.<sup>203</sup>

Hospital data revealed an alarming rate of road traffic accidents (see Figures 11 and 12) with 62 and 24 deaths in Mvita and Likoni sub-counties respectively in 2016 although it appears that some data is likely to be missing; unfortunately it was not possible to get specific figures for *boda boda* related accidents.

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<sup>199</sup> FGD, Peace and Security Committee, Mombasa, 6 June, 2017.

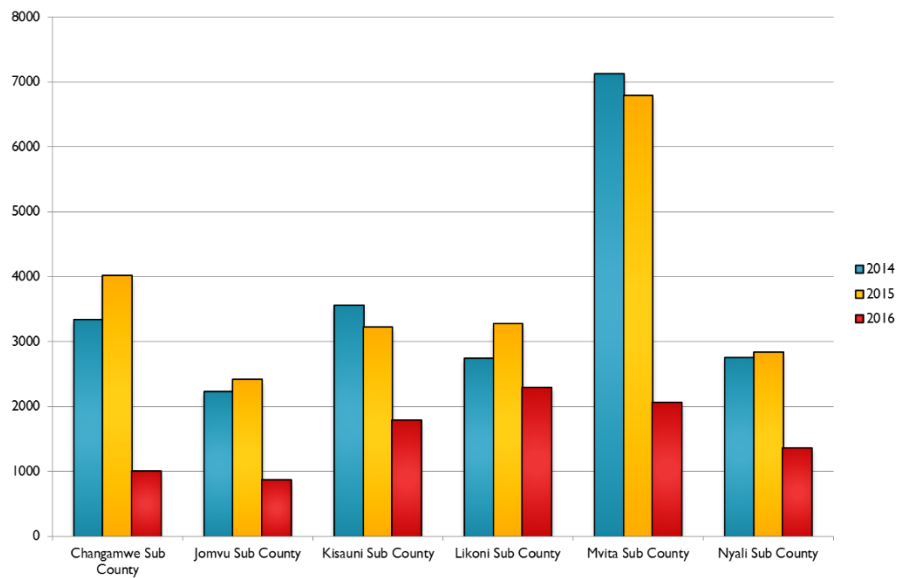
<sup>200</sup> FGD, youths in Changamwe, 10 June, 2017

<sup>201</sup> Interview, Chairlady Kongowea Business Community, 4 July 2017; Interview, senior police officer in Ukunda, 21 June 2017

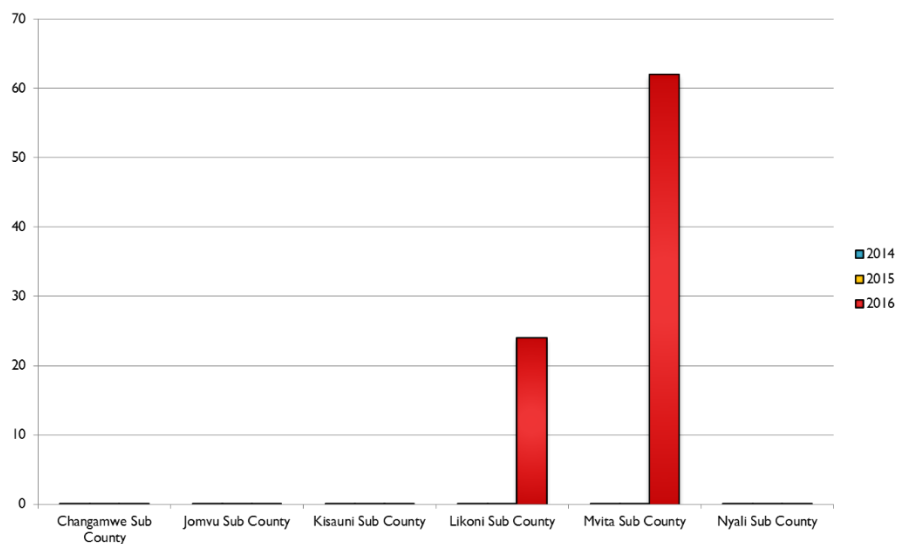
<sup>202</sup> Interviews various, Mombasa June-July, 2017

<sup>203</sup> Ibid.

*Figure 11 Road traffic accidents 2014-2016 Mombasa sub-counties*



*Figure 12: Deaths due to road traffic accidents in 2016 in Mombasa sub-counties*



## Smuggling

Gastrow, in his report on organized crime states “Mombasa port, which handles an average of 1,700 containers a day, is a strategic asset for Kenya and its hinterland. It has become notorious for its abuse by organized crime networks for the smuggling of drugs, counterfeits, and other illicit commodities.” He quotes an interview with a former news boss who said “Mombasa is like a tunnel. All illicit business happens here, and it is controlled by traders supported by customs personnel and powerful people in government. Whoever controls the port controls the illicit

business in Kenya.”<sup>204</sup> Importantly, the smuggling trade is well linked with Al Shabaab for the mutual benefit of both.<sup>205</sup>

Interviewees mentioned that smuggling involved the railway, the port, the industrial area and its warehouses. Players include Kenya Ports Authority (KPA), Kenya Revenue Authority (KRA), individual businesses and professional cartels. The Anti-Counterfeit Agency notes that smuggled goods include ivory, illegal drugs, imported vehicles, sugar and counterfeit goods often disguised amongst genuine goods. Fast-moving items such as household goods, cigarettes, fertilizer, seeds, phones, and apparel are the most common counterfeit goods of which 800 million-worth (US\$8 million) have been seized by the Agency in the past 5 years. These may be an inconvenience or even a risk to the consumer and disrupt the local economy and fund or catalyze other criminal activities including terrorism, drugs, political conflict and gang crime.<sup>206</sup> One respondent said that a container of food dispatched by WHO to Kakuma “disappeared”.<sup>207</sup> In 2016 the government of Kenya replaced senior members of KPA in an attempt to halt smuggling at the port.<sup>208</sup> But it was also noted that KPA “have a network traced to KRA in Nairobi.”<sup>209</sup> Fuel and cooking gas sold at filling stations may also have shady origins. “Most of the cylinders sold in Mombasa are locally made and filled illegally. Most of the cars in Mombasa use stolen fuel filled from shady petrol stations which are owned by well-connected linked people. Siphoning of fuel is a disaster in waiting.”<sup>210</sup>

### **Illegal Immigration and People Trafficking**

In addition to the high numbers of refugees and asylum seekers in Kenya, the International Organization for Migration states that Kenya is a hub for human-trafficking, commonly Ethiopian and Somali migrants in transit to South Africa; the main routes being across the Kenya-Somalia border near Garissa, and across the Kenya-Uganda Border near Busia.<sup>211</sup> Further, Kenya is a source, transit and destination country for men, women and children subjected to forced labor and sex trafficking.<sup>212</sup>

Mombasa is listed as a transit point and a destination, among several others.<sup>213</sup> Further, in 2013, a growing number of people were said to be arriving in Kenya by boat, some into Mombasa, from Kismaiyo and Mogadishu in Somalia. The sex-tourism industry is rife in the county and both children and adults are trafficked in for this purpose. Many girls, some as young as ten years old are brought into the county and bought for 600 USD for forced labor and sex work, while in 2009

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<sup>204</sup> Gastrow (2011)

<sup>205</sup> Gastrow (2011) quotes United Nations (2011)

<sup>206</sup> See Anti-Counterfeit Agency (n.d.) website

<sup>207</sup> Comment by a local chief in FGD with chiefs, Mombasa Town, 8 June 2017

<sup>208</sup> Akwiri (2016)

<sup>209</sup> FGD with chiefs, Mombasa Town, 8 June 2017

<sup>210</sup> FGD with chiefs, Mombasa Town, 8 June 2017.

<sup>211</sup> IOM (2015)

<sup>212</sup> Ibid.

<sup>213</sup> Ibid.

a report found that each week a bus load of girls from Somalia would be trafficked in to work in beauty salons, massage parlors and brothels.<sup>214</sup>

A 70-year-old elder alleged that a nearby mosque was being used as a refuge for immigrants from Somalia. “A truck (for carrying cattle) comes, at times at 4am, and from nowhere you see 20 Somalis jumping out.” He described how they are able to bribe to get IDs and to escape arrest. He stated that the National Intelligence Service was aware of this and that officials are behind it.<sup>215</sup> Previous research revealed that local people felt threatened by the influx of people from Somalia who can often manage to buy land in Mombasa.<sup>216</sup>

## Sexual and Gender-Based Violence (SGBV) and Crime

Table 6 shows figures for SGBV in Coastal area from the Kenya Demographic and Health Survey of 2014. Unfortunately county-specific data was not available. It finds that physical violence is slightly lower for both sexes than the national average and that sexual violence is considerably lower, though this cannot be accepted without questioning due to the taboo nature of the subject.

*Table 6: KDHS data on physical and sexual violence by partner/spouse.<sup>217</sup>*

	Physical violence		Sexual violence	
	Ever experienced	Last 12 months	Ever experienced	Last 12 months
Kenya	Women 44.8%	Women 20.3%	Women 14.1%	Women 7.8%
	Men 44.0%	Men 11.1%	Men 5.9%	Men 2.3%
Coast	Women 39.4%	Women 16.6%	Women 3.6%	Women 0.1%
	Men 41.9%	Men 8.9%	Men 3.6%	Men 0.9%

A report by National Crime Research Centre in 2015 estimated similarly, with 45% of women and 38% of men in Mombasa reporting that they had ever experienced violence at the hands of a partner.<sup>218</sup> A study by NGO Healthcare Assistance Kenya reported that among coastal counties, Mombasa had the highest levels of sexual violence (likely to be due to its higher population), with 433 cases in the past 10 years. Victims were made up of 199 women, 123 girls, 47 men and 64 boys. This is likely to be a gross under-estimate of actual cases, due to underreporting.<sup>219</sup>

County medical data was also available revealing the high numbers of people reporting sexual violence to a medical facility. This is highest in Mvita sub-county for reasons which are unclear

<sup>214</sup> Gastrow (2011); Wambui and Karongo (2009)

<sup>215</sup> Interview, a 70 year old elder, Mombasa, 9 June, 2017.

<sup>216</sup> Mkutu et al (2014)

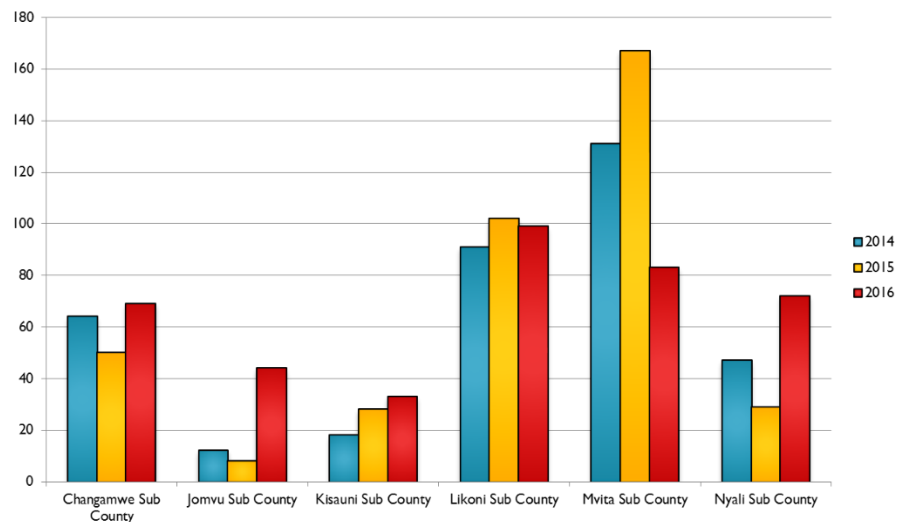
<sup>217</sup> KNBS (2014a); people aged 15-49 were surveyed

<sup>218</sup> NCRC (2017); The sample size was much smaller with only 47 respondents.

<sup>219</sup> Atieno (2017)

but which are likely to represent both population and distribution of medical facilities (see Figure 13).

*Figure 13: Sexual violence 2014-2016 in Mombasa sub-counties*



Youths in Changamwe noted that rape was rampant in their area and is sometimes committed by *boda boda* operators who carry women at night.<sup>220</sup>

In Mombasa, respondents mentioned that early marriages were prevalent in Malindi. The explanation was tied to cultural reasons where dowry was paid for girls as early as 4 years.<sup>221</sup> Another important issue is the high rate of prostitution; a particular hotspot is Ziwa la Ng'ombe in which underage girls are involved.<sup>222</sup>

## ***Security Interventions***

Respondents described the picture of policing, in particular community policing at the county level. At the highest level, they noted that there are poor relations between the County Government and the National Government Administration Office in Mombasa, which has hampered the establishment of the County Policing Authority.<sup>223</sup> The Governor, however, has together with the County Commissioner and civil society, created a county plan for countering violent extremism<sup>224</sup> which is likely to require considerable collaboration between these sectors (see section on crime and violence prevention for details). Respondents also noted that

<sup>220</sup> FGD, youths in Changamwe, 10 June, 2017

<sup>221</sup> Group Interview, CICC members, Nyali, Mombasa, 6 June 2017.

<sup>222</sup> FGD with community policing group, Ziwa la Ng'ombe, 8 June, 2017.

<sup>223</sup> Noted by several respondents in both Likoni and Ziwa la Ng'ombe, 8 June, 2017.

<sup>224</sup> Mombasa County Government/Mombasa County Commissioners Office/Haki Africa (2017)

cooperation between regular police and administration police is a problem, though ferry police work well with the regular police.<sup>225</sup>

### Command Centre

The Kenya government has created a command centre in Mombasa for observation and mapping of crime in the city using CCTV amongst other technologies. This provides surveillance for: the CBD where there is carjacking and robbery; the Port where there is smuggling; and at strategic installations such as the Nyali bridge, Mtwapa crossway and Likoni Ferry crossing.<sup>226</sup>

### Community Policing and Nyumba Kumi

Community policing groups have existed for some time in Mombasa. There are also *Sungu Sungu* groups, inspired by the groups of the same name which originated in rural Tanzania in 1980s and later spread into Kuria, Kenya, through which communities managed crime using existing indigenous structures of governance. More recently since late 2013 the Nyumba Kumi (10 houses) approach, also borrowed from Tanzania's socialist history was launched, in particular, as a novel approach to collecting counter-terrorism intelligence by creating "clusters" of houses and leaders of each cluster, who would report to higher policing committees. The concept has been criticized as being less suitable in modern capitalist Kenya; in urban gated communities people have managed their own security through private guards, fences and CCTV while in less affluent urban areas there is rapid turnover of tenants in houses and flats.

Mombasa's experience of Nyumba Kumi has many similarities with other counties. The initiative seems to have lacked clarity and resourcing. Administrators noted that it was not functioning in Kisauni, Likoni or Mvita. One chief said, "Nyumba Kumi is a total failure... [In our sub-county] there has not been any meeting with any of the houses in the last five years. The 10 houses were created and people were elected, but that was the end; they are not functioning... Nyumba Kumi has no direction. They do not know their mandates and do not know what they are doing! The people are grassroots and do not know how to fight crime."<sup>227</sup> Peace Committee members in Likoni said, "The government is in confusion in terms of the legislation; it is difficult for the groups to work together to involve the grassroots and all actors. The Nyumba Kumi has never been made easy for the *wananchi* (citizens) to understand. In some [places] it has picked up and in some it has never worked."<sup>228</sup> There are also difficulties because the model is different from other community policing models, and yet these have not been disbanded. This is causing some conflict and at times some disruption to the gains of the previous structures. Clerics said, "They are at war and conflict with one another. Both see the job as theirs."<sup>229</sup> The relationship between the community policing and the police is also said to be poor although there is a good relationship

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<sup>225</sup> FGD, Peace Committee Likoni, Central Mombasa, 7 June, 2017.

<sup>226</sup> Author observation.

<sup>227</sup> FGD with chiefs, Mombasa, 8 June, 2017.

<sup>228</sup> FGD, Peace Committee Likoni, Central Mombasa, 7 June 2017.

<sup>229</sup> Group Interview CICC Members, Nyali, Mombasa, 6 June 2017

between the former and the national government administration (County Commissioner's office). It was noted "We share the problems with him and he comes and addresses the problems. The regional commissioner often comes down. The police commander only acts when you go to them."<sup>230</sup>

Community policing groups lack resource (Nyumba Kumi has an office but not the other structures) and support given the risks they face. In both Likoni and Ziwa la Ngombe they complained that they did not have any official ID, which made it difficult for people to trust them. "Most of the people have dropped out of the community policing because of this lack of ID, you go to arrest someone and they ask you who are you? One of my people from my CP office was nearly burned."<sup>231</sup>

Community policing was said to have assisted in making arrests but again, the problem of poor witness protection undermined these gains by allowing criminals, once released to revenge for their treatment at the hands of the police, thus deterring any further reporting. Many community policing officials have died at the hands of criminals. It was noted, "Community policing provides reports on drugs and people caught with evidence and tomorrow the offenders are back in the community or streets and threatening you."<sup>232</sup>

### **Community-police Relations**

As many studies reveal, there is a dysfunctional relationship between police and communities which is self-perpetuating, and this survey revealed the same. The questionnaire revealed a low level of trust in the police (see Figure 14) either in terms of capacity or desire to assist citizens.

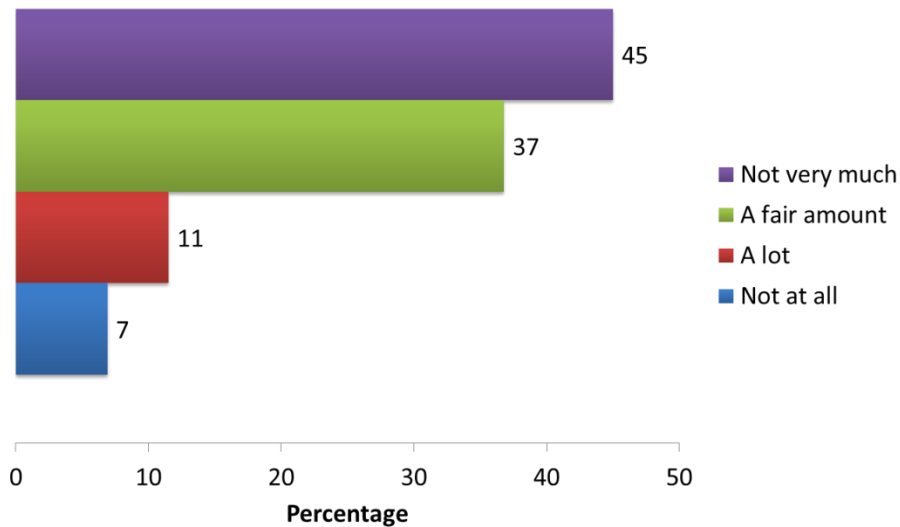
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<sup>230</sup> FGD, Mombasa, June, 2017.

<sup>231</sup> FGD with Community Policing Group in Ziwa La Ng'ombe, Mombasa, 8 June 2017

<sup>232</sup> FGD, Peace Committee Likoni, Central Mombasa, 7 June 2017

Figure 14: Trust in the police



Police are accused of being weak and slow to respond and are easily bribed to ignore all manner of offences, especially drugs. Police in their efforts to control crime also tend to take a militaristic and indiscriminate approach to dealing with citizens which fails to observe human rights and due process. A security officer noted, “The *mkubwa* (big man) syndrome is a problem in the police, it’s a major problem. The police first see citizens as suspects.”<sup>233</sup> He attributed this to problems with training including a culture of fear. A senior administrator concurred, “The police mindset has not changed...there is a need for the curriculum at the colleges to be addressed. The curriculum is still colonial and not user friendly.”<sup>234</sup> Importantly police are often limited by insufficient training, resources and funds for investigation, transport costs and other essentials for efficient and effective policing, leading to disillusionment and unprofessionalism. Citizens on the other hand fail to give information, due to their lack of trust in the effectiveness of the police and the fear of being implicated or unprotected against repercussions once criminals are bailed out, which means that no evidence is available to prosecute criminals. Witness protection is poor as noted, leading to revenge when criminals are released, as they often are. “The police reveal or tell them your name, there is no confidentiality.”<sup>235</sup>

With regard to violent extremism, these individuals are known to the community but there are barriers to bringing them to justice including poor police response and difficulties of collecting evidence. “We know the radical criminals but following them is hard.”<sup>236</sup> It was noted that witnesses are supposed to be provided with transport to attend court, but are not aware of this and do not have money to attend. Police said with frustration that the families of the suspects

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<sup>233</sup> Interview, an immigration officer, Mombasa, 7 June, 2017

<sup>234</sup> Interview, administrator, Mombasa, 9 June, 2017

<sup>235</sup> FGD, Peace Committee Likoni, Central Mombasa, 7 June, 2017.

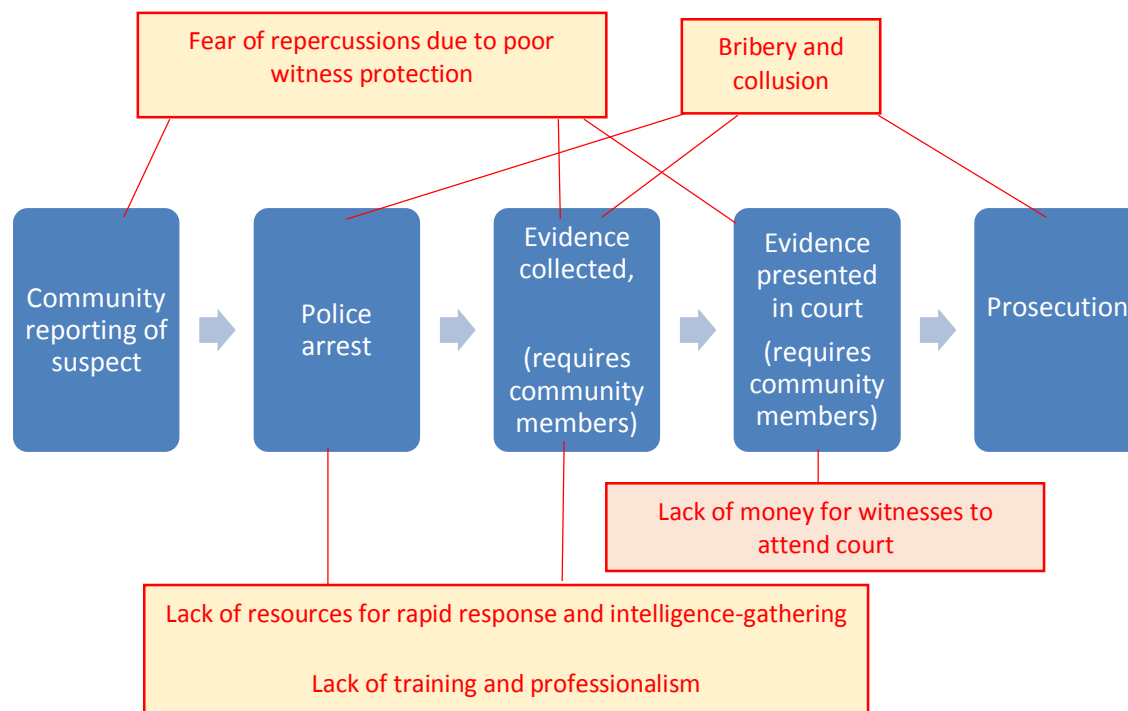
<sup>236</sup> FGD, Peace Committee Likoni, Central Mombasa, 7 June, 2017.

fill the court corridors to bail out the suspects who then threaten everyone who might have led to their arrest. As a result of this weakness in the “social contract,” citizens often break laws, bribe and resort to mob justice to deal with criminals, as described.

As described, there is an official policy by the police to deal with youth gangs and terror suspects through “shoot to kill” tactics. This is in contrast to events in Finland in August 2017, in which two people were killed and six others wounded in stabbings in the western city of Turku. Police demobilized the perpetrator by shooting him in the thigh, following which he was transferred to hospital.<sup>237</sup>

Figure 15 portrays the chain of events from reporting of a crime to successful prosecution, and the events and problems which interfere or “break the chain” at various points. It would seem that while communities are the first responders in fighting crime and violence, they do not trust (from experience) that chain of events will reach its conclusion; more often than not it is better not to embark on the process because the prospect of success seems too low and, unless completed and the criminal safely incarcerated, the risk of repercussions is just too high. The various “weak links” need to be carefully examined and addressed if it is expected to work, and trust will not be built overnight.

*Figure 15: The chain of events in criminal proceedings, and potential problems.*



<sup>237</sup> Associated Press (2017)

Source: K. Mkutu and T. Mkutu, 2017

## Crime and Violence Prevention Activities

This section describes actors and institutions/organizations relevant to crime and violence prevention, peace and cohesion in Mombasa, and specific crime and violence issues for which there are various interventions by various actors. In the questionnaire, people were asked about a wide range of institutions responsible for addressing crime and violence (see Figures 16 and 17) both reactively and preventatively. Most people saw the importance of both formal and informal institutions, with 78% of people rating the family as a very important institution. Most received a moderately high confidence rating with prisons scoring the highest in terms of people's confidence, although confidence in the criminal justice system was lower.

Figure 16: Importance of various institutions in addressing crime and violence

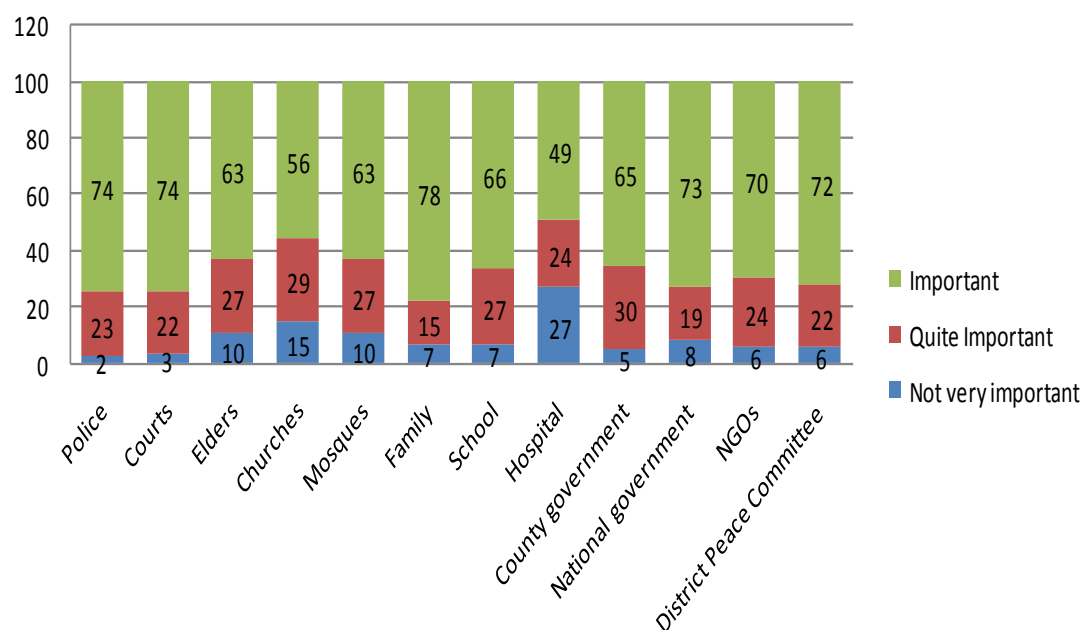
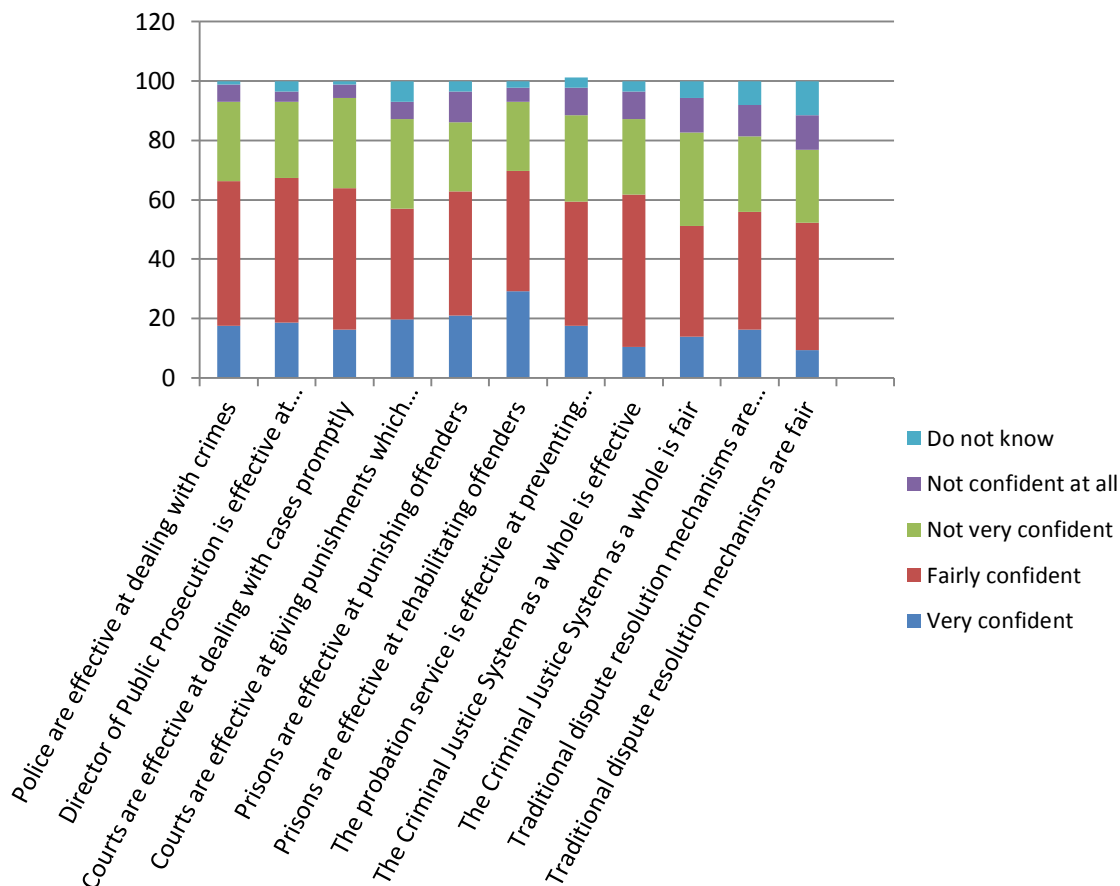


Figure 17: Confidence in institutions to address crime and violence



## Actors and Institutions in Crime and Violence Prevention

### County Government

The County Integrated Development Plan in 2013 made wide-ranging plans on, inter alia: economic development; infrastructural improvements; job creation, training and apprenticeship; youth empowerment; school building projects; mainstreaming of gender and disability issues, all of which have relevance to crime and violence prevention, and some of which are mentioned specifically below. Although the county does not have a direct role in providing formal security, the rehabilitation of two police posts and building of six was mentioned in the plan, along with capacity building of police. For the purpose of countering drugs and crime, awareness-raising activities were mentioned, and the reactivation of 10 community policing units. Rehabilitation of offenders through community service orders, probation and after-care services was also a priority.

### *Peace and Cohesion Committees*

The committee in Likoni is made up of several community policing leaders amongst others. The committee has been able to meet with communities and identify the gangs operating in the area. It has some contact with the young people and attempts to assist those who wish to change and go back to school. They also attempt to engage parents, particularly mothers. The committee members note that the police implied that they needed the help of the elders/religious leaders and parents to manage the problem of youth gangs, which they could not do alone.<sup>238</sup>

### *Coast Interfaith Council of Clerics (CICC)*

The organization brings together all faiths in the coast. Hindus, Kenya Muslims, Kayas, Christians etc. The CICC was launched in 2001, with the goal of promoting enduring peace in the region. Its mission is to achieve a religious and progressive society to create a culture of peace, justice, healing, sustainable development and restoration of the environment, through interfaith dialogue and cooperation in the coast province. The mission is implemented through daily interfaith dialogue to promote peace and trust and to end hostilities and religious motivated conflict and violence. CICC facilitates collaboration and cooperation between the Government of Kenya, and other stakeholders, provides a forum for information and experience sharing, and provides a platform for advocacy for the marginalized and for civic education.<sup>239</sup> Current organizations represented on the council are:

1. Supreme Council of Kenya Muslims (SUPKEM)
2. Council of Imams and Preachers of Kenya (CIPK)
3. Hindu Council of Kenya (HCK)
4. Catholic Church (KEC)
5. National Council of Churches of Kenya (NCCK)
6. Evangelical Alliance of Kenya (EAK)
7. Organization of African Instituted churches (OAIC)
8. Africa Traditional Religions (ATR)<sup>240</sup>

CICC is involved in sensitization of the signs of radicalization to parents and community members such as withdrawal and seclusion including spending excessive time with phones and other electronic gadgets, being late home and being secretive about activities. CICC also teaches from the religions represented about peace and the ills of radicalization/terrorism.

### *Other civil society organizations*

Mombasa County in 2013 listed 214 cooperative societies, 877 and 884 women and youth groups respectively active in the county. There are a large number of NGOs and CBOs in the county,

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<sup>238</sup> FGD, Peace Committee Likoni, Mombasa, 7 June, 2017.

<sup>239</sup> See CICC (n.d.) website

<sup>240</sup> Group Interview CICC members, Nyali, Mombasa, 6 June, 2017

many of whom are working with women and girls in sexual health and empowerment, and in combatting HIV/AIDS as well as development in general; there are other organizations working in conservation, agriculture, care of vulnerable children and for persons with disability. There are also several international donors and development organizations. Organizations involved in CVE are specifically noted in the section below.

### **Specific issues**

#### *Regulating and improving the boda boda sector<sup>241</sup>*

Police carry out spot checks on *boda boda* operators for essentials such as licenses and protective gear and are also involved in regular education on road safety and security in collaboration with National Transport Safety Authority (NTSA). Police also teach on how *boda boda* can assist police through reporting criminals since they are able to access interior areas. *Boda boda* associations assist in organizing and informally regulating riders, along with welfare and loans through revolving funds. However, not all are registered and there is high turnover among riders, making regulation more difficult. Security officers felt that there was scope for better collaboration between the various stakeholders including the community and businesses, to deal with the problems of the sector.

#### *Countering violent extremism*

The Mombasa County Action Plan for Preventing and Countering Violent Extremism was launched in 2017 by Mombasa County Government in collaboration with the County Commissioner (National Government) and civil society organization Haki Africa following a two-day meeting of stakeholders. It bases its approach upon the National Countering Violent Extremism strategy, which is structured around a number of pillars. The following activities are listed under these pillars:

- Education pillar: development of a CVE curriculum for schools, promotion of interfaith activities in institutions of learning.
- Faith-based and ideology pillar: promotion of cohesion, tolerance, non-discrimination and responsible enjoyment of freedom of worship through various fora/meetings/outreach activities.
- Economic pillar: Training and capacity-building of vulnerable individuals and communities, audit, lobbying and advocacy to ensure equitable service provision.
- Security pillar: Strengthening of *Nyumba Kumi* and community understanding of their roles in safety, advocacy and public meetings to improve community-police relations, training for security and communities in human rights.

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<sup>241</sup> Various interviews including senior police officers, business sector and Chair of Boda Boda Association, Mombasa, July 2017

- Arts and culture pillar: inter-cultural activities, lobbying, advocacy and training for community on appreciation of African history and diversity and against cultural violence.
- Political pillar: Fora and meetings in which politicians will promote unity, politician engagement in CVE and returnees issues, lobbying and advocacy for amnesty for returnees.
- Psychosocial pillar: family and community mobilization in giving out CVE messages, lobbying and advocacy on the CVE county plan.
- Women pillar: women specific outreach activities and meetings, towards including creation of a network, and early warning programs, mobilization, capacity-building and promotion of women in peace building and as peace ambassadors.
- Media and online pillar: trainings of media personnel in, and development of tools for alternative narratives and human rights.
- Training and capacity-building pillar: creating a curriculum and training programs for CVE including outreach and dialogue fora.
- Legal and policy pillar: lobbying and advocacy toward CVE law and policy, research and policy towards enhanced legal aid and alternative dispute resolution, and raising awareness on rights of victims of both terrorism and counter-terrorism.

The implementation framework is intended to involve fora at various levels, the lowest tying in with the existing *Nyumba Kumi* structures. However as previously noted, these structures are in many places failing or fraught with conflict. The document encouragingly acknowledges the problems of police training and the need for softer approaches to counter-terrorism, and a witness protection program but is not able to create a strategy to address this because this is a national government matter, not a county matter.

Some attempts to rehabilitate those who responded to government amnesty have been taking place, in particular in Kwale although these are not high profile. Some however feel that efforts would be better used on other vulnerable youths “By helping the returnees you are disadvantaging those that are vulnerable, should I be bad to get help?” I was looking for Al Shabaab, how do we ignore the people”<sup>242</sup> Sometimes other youths have pretended to be returnees to get the available assistance, as a senior police noted “They need to be given something to do...some decided to join a garbage collection and shoe shining and managing the beach. After profiling, it was learnt they were not genuine.”<sup>243</sup> Therefore efforts should be directed not only to returned fighters but to all youths in need.

Several NGOs and CBOs are involved in countering violent extremism through education and empowerment amongst other interventions. The International Organization for Migration have programmes providing psychosocial and other support to vulnerable individuals. Likoni Community Development Program has a long history of working with youth in Likoni – an

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<sup>242</sup> Interview, Livingstone, Program Officer of IOM, Ziwa La Ng’ombe, Mombasa, 8 June 2017

<sup>243</sup> Interview, senior police officer, Mombasa, 9 June, 2017.

impoverished ward in Mombasa.<sup>244</sup> MUHURI notes its involvement in peace and security initiatives, in particular ensuring that human rights are upheld in the fight against terrorism. It works to educate the public on terrorism and how to help fight it, to improve community-government relationships, and for the fair treatment of arrested terrorist suspects. MUHURI also has health, land, justice, and social accountability arms.<sup>245</sup> KECOSCE (Kenya Community Support Centre) is a Mombasa-based CBO which notes that it is working to combat violent extremism and promote community resilience, promote enterprises for poverty reduction and good governance in Kenya.<sup>246</sup> Lastly, the Kenya Muslim Youth Alliance is an independent not-for profit youth network which aims to empower and engage Muslim youths and assist them to engage with the government and stand for their rights in constructive ways. Their peace and security programs are particularly targeted towards CVE civic education in the Coastal area, in collaboration with the NGO Search for Common Ground.<sup>247</sup>

### *Drug rehabilitation*

Mombasa County Government recognized drugs as an important issue and made plans in 2013 for youth sensitization and rehabilitation. NACADA lists 6 hospitals and rehabilitation center in the Mombasa area, which help addicts at various stages of the rehabilitation process, some of these are government facilities. Following the first stage of drug withdrawal in hospital the addict remains very vulnerable to relapse and should be admitted to a rehab center for a period of months. The vast majority of addicts cannot afford the fees in these private or NGO institutions; however, a large government rehab center is currently under construction in Miritini<sup>248</sup> and new medically assisted therapy (MAT) clinics have been created in 2015. The success of rehabilitation is limited by lack of alternative activities and employment.

### *Mitigating gender-based violence and violence against children*

Several NGOs offer programmes for women's empowerment and health, these include but are not limited to Deutsch Stiftung Weltbevölkerung (DSW), Women Fighting AIDS in Kenya (WOFAK), Coast Women in Development (CWID), Solidarity with Women in Distress (SOLWODI), International Centre for Reproductive Health, Family Health International, Kenya AIDS NGOs Consortium (KANCO), AIDS Healthcare Foundation Kenya, Manedeleo wa Wanawake, Kenya Red Cross and Action Aid Kenya. Several Healthcare Assistance Kenya was also mentioned by respondents; it is a national NGO involved in advocacy and assistance to victims of GBV through a toll-free helpline [1195] offering 24-hour psycho-social support to women, men and children.

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<sup>244</sup> See LICODEP (n.d.) website

<sup>245</sup> See MUHURI (n.d.) website

<sup>246</sup> See KECOSCE (n.d.)

<sup>247</sup> *Coast, The* (2017); see KMYA (n.d.) website

<sup>248</sup> Baraka FM (2017)

Several of the NGOs noted above also offer programmes to support vulnerable children. Mombasa also has many children's homes although only around half are registered.<sup>249</sup> The CIDP outlined plans to construct a child protection center (for advice and information) in Likoni, as well as a children's home and child protection units on police stations, to assist vulnerable children, including street children and children involved in the sex-industry. There are no reports on the county website of this having happened as yet.

#### *Crime Prevention through Environmental Design (CPTED)*

Mombasa's County Integrated Development Plan in 2013 mentioned lighting as an important priority for security in the county, along with provision of basic infrastructure and formalization of land tenure in slum areas, construction of social amenities such as halls and sports grounds and facilities for better management of garbage. Other urban improvements intended to keep traffic and people flowing smoothly around strategic and busy location have also been instituted by the national government. Mombasa is one of the urban centers targeted by World Bank's Kenya Informal Settlement Improvement Project (KISIP) whose aim since 2011 is "to improve living conditions in informal settlements in selected municipalities in Kenya." Settlements include Ziwa la Ng'ombe, Mkomani, Jomvu Kuu and Jomvu Mikanjuni. Infrastructure and service delivery interventions include roads, footpaths, high mast lighting, water and sanitation. Planning and survey work is ongoing in Mombasa to enhance tenure security and for future planning.<sup>250</sup>

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<sup>249</sup> Benyawa (2016)

<sup>250</sup> See World Bank (n.d.)

# Isiolo Survey

## County Overview

Isiolo County, is located almost in the centre of the country, 285 km north of Nairobi. Its capital, Isiolo Town, lies along the main highways travelling to both Moyale, Ethiopia and to Somalia. The County is not densely populated, having an estimated 192,000 persons living in around 25,605 km<sup>2</sup>. The main towns include Isiolo Town, which accounts for 32% of the county's population, Merti (5%), Kinna (3%) and Garbatulla (3%). Therefore over half of residents are rural-based. The county is divided into several administrative units. (See Table 7 below).

Table 7: Sub-counties and wards in Isiolo

Sub-county	Area (km <sup>2</sup> )	Wards
Isiolo	3,269	Wabera Bulla Pesa Burat Ngaremara Oldonyiro
Merti	12,612	Chari Cherab
Garbatulla	9,819	Kinna Garbatulla Sericho
Total	25,700	10

Isiolo County is predominantly inhabited by the Borana (the largest portion), Somali, Meru, Turkana and Samburu.<sup>251</sup> Immigrant communities from other counties form the minority.<sup>252</sup> Though Islam and Christianity are practised in Isiolo County, the inhabitants are largely Muslim.

The county is mostly arid with some semi-arid areas,<sup>253</sup> economically poor and marginal.<sup>254</sup> Pastoral livelihoods predominate in the county and 80% of the land is community land, owned communally and held under trust by the county government.<sup>255</sup> Agro-pastoralism is practiced in some places, such as Kinna (See Map 1 below). The other main economic activities are small-scale businesses and tourism. Intensive dairy farming, though less common, is slowly gaining traction in the county. Even though most of the population rely on livestock farming, there are no livestock product industries. Small-scale businesses include trade in farm produce, *miraa* and livestock products such as milk, beef, skin, *jua kali* work (outdoor casual work) artisans, etc.

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<sup>251</sup> Saferworld (2015)

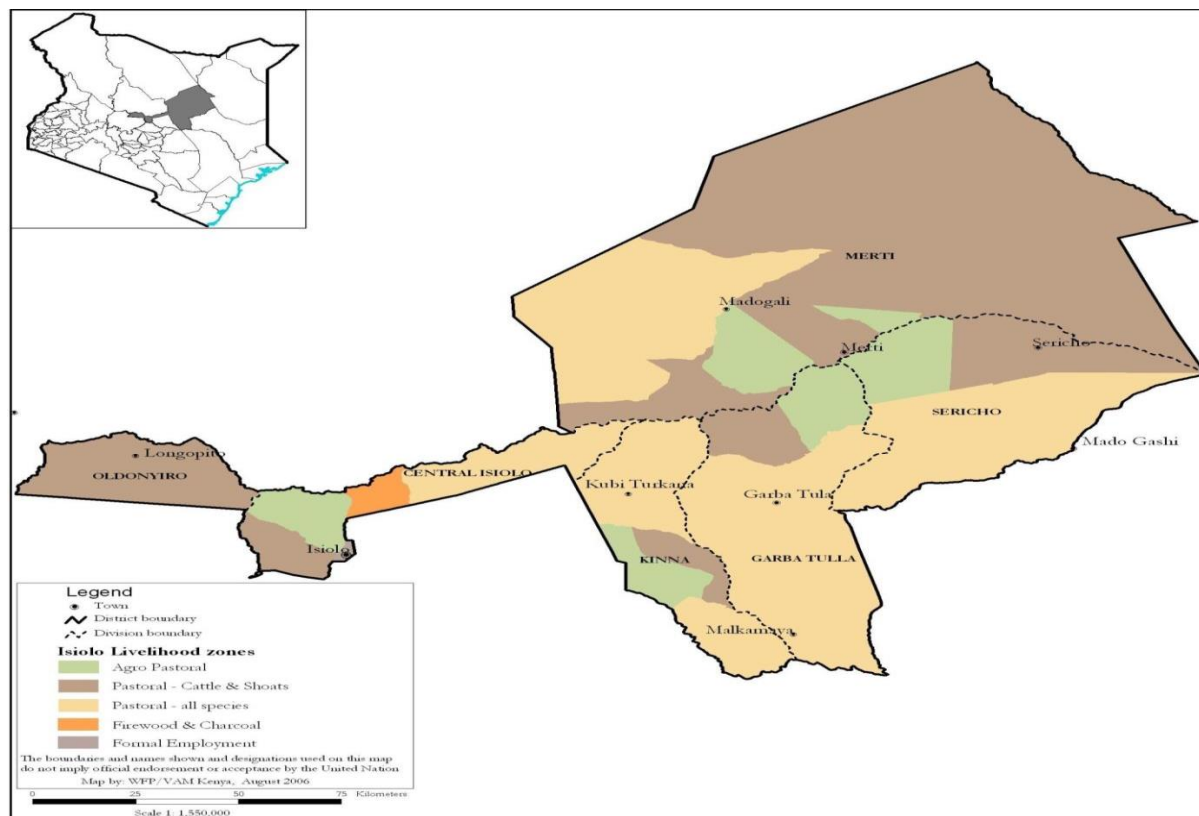
<sup>252</sup> Isiolo County (2013)

<sup>253</sup> Ibid.

<sup>254</sup> Adano, et al (2012)

<sup>255</sup> Isiolo County (2013)

*Map 1: Livelihood Zones Isiolo County*



Sourced from Isiolo County Short Rains Assessment (SRA) Report 2016

There are three game reserves, Shaba, Buffalo Springs and Bisanadi, which are tourist attractions. The county also has several hotels (including one five-star hotel) and campsites that offer accommodation to tourists. The county also has a huge potential for mining. Geological surveys indicate that the county has unexploited deposits of minerals such as sapphire, ruby, limestone, biromix, oil and gas.<sup>256</sup> Currently, small-scale mining of blue sapphire is being undertaken by youths in Duse location and sand is harvested in the county though in an environmentally unsustainable manner.

### ***Cross Cutting Drivers of Crime and Violence***

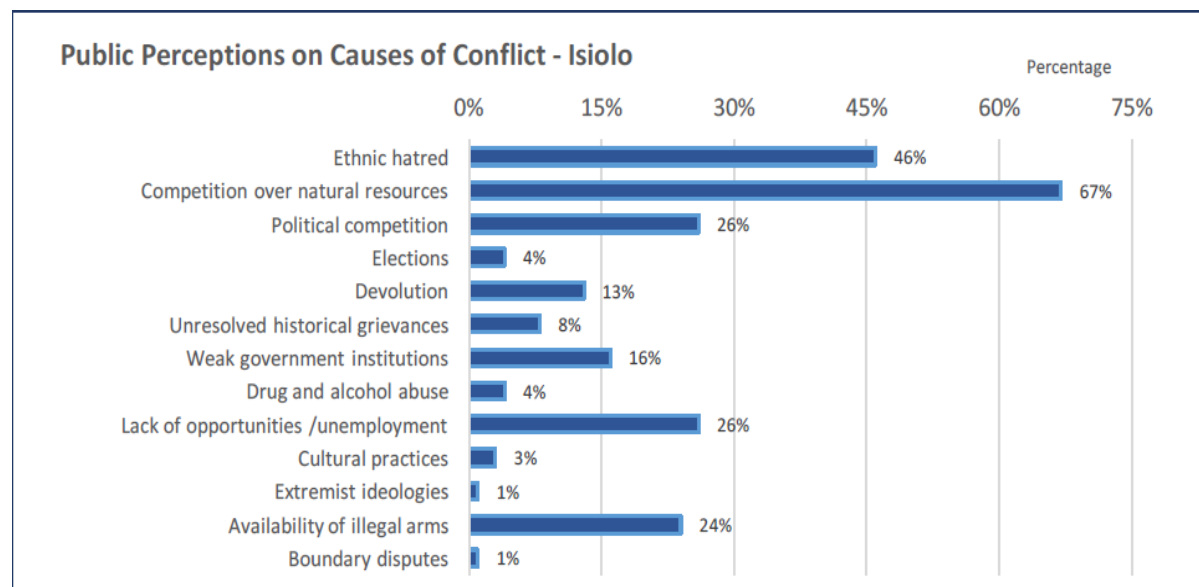
The participants in the survey identified several drivers of crime and violence including, poverty, unemployment, land/boundary disputes, proliferation of SALWs, radicalization and violent extremism, cultural practices, illiteracy, conservancies, drug and substance abuse, ill-equipped

<sup>256</sup> Isiolo County (2013)

police, drought (climate change/variability), ethno-politics, inter/intra-communal conflicts, devolution, large scale development projects, weakening of the family unit and the social media.

With regard to conflict in particular, the Centre for Human Rights and Policy Studies found that the public in Isiolo see competition over natural resources as the major driver, followed by ethnic hatred, and then political competition (see Figure 18).

*Figure 18: Public perceptions on causes of conflict in Isiolo County<sup>257</sup>*



This section will discuss some of the drivers of crime and violence which were emphasized by the participants in the survey.

### **Socio-Economic Marginalization and Unemployment**

Residents of Northern Kenya, including Isiolo County, feel that the area has been marginalized for a long time resulting in economic decline, which has contributed to high levels of poverty and inequality that has fueled crime and violence in the region;<sup>258</sup> survey participants concurred that political violence and inter-communal violence was related to social, political and economic exclusion of certain sectors of the population.

According to the Office of the Controller of Budget, Isiolo County is marginalized in terms of development;<sup>259</sup> the poverty prevalence index is 71.3% (national average is 45.9%). The Multi-Dimensional Poverty Index for the County is 0.25, while the national average is 0.23.<sup>260</sup> According

<sup>257</sup> CHRIPS (2017)

<sup>258</sup> IRIS (2015)

<sup>259</sup> GOK (2016)

<sup>260</sup> UNDP (2014)

to Kumssa and Kiriti-Ngángá the poverty levels are higher in the rural parts of the county due to lack of markets for livestock and drought. Further, communal ownership of land makes it difficult to obtain loans for business development due to lack of collateral.<sup>261</sup> The road network is poor and many areas are seasonally inaccessible. Electricity only reaches around 8% of homes. The Human Development Index is 0.45 (national average is 0.52).<sup>262</sup> Inequality as in most northern counties is fairly low.<sup>263</sup>

Isiolo County has a high proportion of youths: those aged 0-14 years accounted for 44.4% of the total population of Isiolo in 2012.<sup>264</sup> There are high levels of unemployment in the county and around 70% of youth (aged 15 to 35) who constitute almost a half of the county's population are unemployed (although often in informal employment). Approximately 80% of persons are not formally employed<sup>265</sup> but are engaged in pastoral livelihoods and some in urban-based small business. Wage earners are mainly employed in the hotel industry and the public sector.

The lack of opportunities has contributed to increased anti-social behavior such as crime, violence, alcoholism, drugs and substance abuse, as well as cases of depression and suicide.<sup>266</sup> While the advent of large-scale development projects in recent years may be seen as a potential solution, this has at present brought further problems and threats, to be discussed.

## **Land**

The allocation of land and land tenure security are of vital importance to contemporary African rural communities due to inequalities in allocation under the colonial regime and the post-colonial regimes, population increase, expansion of agriculture, increasing investor interests and resettlement schemes.<sup>267</sup> Most of the land in Isiolo County is communal land, i.e., unregistered land, held under trust by the County Government. Since land is communally owned, the landless are mainly found in the urban areas within the county, where the poor from outside the county are unable to purchase land or have not been allocated plots.<sup>268</sup> 10% of the land constitutes government land, while the remaining 10% is privately owned.<sup>269</sup> Less than 1% of the land is titled, which, in the interim prior to the enactment of laws which would allow group titling for community land users, renders communities vulnerable to displacement by changes in land use decided by county and national government, and hampers the process of compensation when they are required to leave.

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<sup>261</sup> Kumssa and Kiriti-Ngángá (2016)

<sup>262</sup> UNDP (2014)

<sup>263</sup> KNBS/SID (2013)

<sup>264</sup> Information from Count Planning Office

<sup>265</sup> Kumssa and Kiriti-Ngángá (2016)

<sup>266</sup> FGD, Youth group, Kinna, 9 May, 2017

<sup>267</sup> Moyo (2007)

<sup>268</sup> Isiolo County (2013)

<sup>269</sup> Ibid.

Sharamo highlights a “scramble for land by elites, investors and communities from both pastoral and agricultural regions of Samburu, Baragoi, Marsabit, Meru and other parts Kenya to the strategic Isiolo area” which has resulted in scarcity of land in Isiolo County and fueled conflict. Speculative land grabbing has been particularly high since devolution and the advent of mega-projects (to be discussed).<sup>270</sup>

Kula Mawe in Bulla Pesa, Todoruba and Wabera are all aras in Isiolo sub-county which have been affected by disorderly development and irregularities in allocation of plots to residents through a flawed ballot process. The development of Isiolo Airport brought similar problems in Mwangaza, Chechelesi and Kiwanjani locations, which were complicated by the change in leadership from Isiolo County council to Isiolo County Government under devolution. A ballot process was used to compensate the displaced residents.<sup>271</sup> However, initial estimates of those displaced swelled, and the situation became increasingly complicated. The councilor and the ward administrator provided an example:

The initial 700 were to be relocated to Mwangaza, but the number increased over time to 1500. As a result some of the people were relocated to Kiwanjani location (Wabera Ward) but there were only 450 plots and 50 squatters already occupying the area, so approximately 400 in number were to move to Chechelesi which had 1,900 plots. However, although the ballot was done, no land has yet been given out. Tension resulting from political interference and the change of leadership meant that even the Mwangaza area has not yet been occupied by the allocated people....It's now more than politics and has turned into a blame game.

Another respondent pointed to the presence of militia groups and employed chiefs who exerted some control over the Mwangaza land. He noted “I am a victim from Mwangaza. I had two plots for which I am currently paying. A widow and several others have lost land because of speculation and development. The county government took advantage of the situation worsening the problem.”<sup>272</sup>

Chiefs and ward administrators argued that the land conflicts were not really about the airport, but rather the state's failure to perform its duty, which was related to devolution, which duplicated roles between the county and national governments. They believed that the state is exacerbating the problem by dividing the people affected by the expansion of the airport along ethnic lines, which could lead to ethnic conflicts, further they claimed that the county government was grabbing and consolidating between 10-20 plots that were balloted and later preparing a new fake map to facilitate the sale of the plots or giving to cronies, especially in the Chechelesi area, while those who had balloted and paid 6,000 KShs (approx. \$60 US), were left

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<sup>270</sup> Sharamo (2014)

<sup>271</sup> Kibugi et al (2016)

<sup>272</sup> Ibid.

with nothing. A cleric warned of the potential for displaced pastoralists to react “People are no longer using *rungus* (sticks) to fight but arms.”

Another important area for land conflict is the Isiolo Holding Ground, an area of government land of approximately 124 thousand acres next to Isiolo Town, created during the colonial era for the purposes of quarantining and vaccinating animals.<sup>273</sup> Since the 1980s, the holding ground has been regarded as a grazing area managed by a holding ground users’ association. People are allowed to graze their livestock in the area at a fee, but poor management has led to a lot of conflict.<sup>274</sup> There are several activities taking place on the land and resources available on the land including several boreholes, and the construction of an abattoir. However, there were many players and much competition for the land: part of the area known as Kipsing, had been taken over by elites; other parts had been taken over by the military for training grounds; squatters had also established farms and a local conservancy known as Nasuul, while armed herders also grazed their animals in the area.<sup>275</sup>

## **Mega-Projects**

Large-scale developments (mega-projects) planned under Vision 2030 and currently under implementation are sources of concern for respondents. These include the LAPSET corridor (a road, rail and oil pipeline link across Kenya’s northern counties), Isiolo Resort City, an oil refinery, Isiolo International Airport, a dam project to serve the resort city and a new abattoir. Typically, such projects should address historical marginalization and portend development and prosperity for the region, however they also carry threats of increasing inequality and insecurity. The chair of the Interfaith Network argued that the alleged benefits of the mega projects had been exaggerated; that the cost was very high, and that neither local participation nor social and environmental impact assessment had been adequately done. The general consensus amongst the participants was that most people, lacked vital information on the projects. However, interestingly, the then Deputy Governor of Isiolo County believed that the focus of the national government has been the Standard Gauge Railway (SGR) and not the often-mentioned development projects (such as the Resort City and the International Airport) which were the priority of a previous government. He asserted that the Resort City project was almost forgotten.

Although superficially, conflicts and violence in the county appear to be the usual competition over grazing land amongst the pastoral communities, dominant political and economic interests are often involved, contributed by devolution. The Deputy Governor acknowledged that the projects raised a lot of issues including boundary disputes with neighboring counties, especially Meru County, and land speculation by elites who have already acquired title deeds. He revealed that companies were investing in candidates who were vying for political offices in the county government so that they could influence politics, and in turn, investment within the region.<sup>276</sup> He

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<sup>273</sup> Interview, Director, Ministry of Livestock and Agriculture, Isiolo Town, May 9, 2017

<sup>274</sup> Ibid.

<sup>275</sup> Ibid.

<sup>276</sup> Interview, former Deputy Governor, Isiolo Town, 8 May, 2017

gave an example of a candidate running for office who used on average 10 million KShs a day (approx. \$100,000 US), for campaigns. A civil society consultant concurred that the land on which the Resort City was to be built had been grabbed and titles issued.<sup>277</sup>

A top county official described the impact of the already opened Isiolo-Ethiopia highway. This had opened the region and brought new investment, but wealthy elites had rushed to acquire plots thus edging out the local communities. He alluded to the political dimension of the mega projects, by cryptically stating that, “three of the MCAs in Isiolo are from other counties including an MP what do you expect?” He added that outsiders were uniting to protect their interests and to take over political power in the county.<sup>278</sup>

In early 2013, The National Water Conservation and Pipeline Corporation announced plans to construct a mega dam on Ewaso Ng’iro River in Isiolo County.<sup>279</sup> The twin dams are to be set up at Crocodile Jaw and Ngerendare and are principally meant to provide water to the proposed Isiolo Resort City, which is to be set up at Kipsing Gap. Members of the County Assembly (MCAs) in Isiolo opposed the project fearing that it would spell doom for the pastoralists residing downstream, who depend on river, and the periodic flooding which allowed vegetation to thrive.<sup>280</sup> One respondent stated that if the river is intercepted the residents would perish and it was likely to result to ‘World War III’. Clear information is lacking and several rumors are in circulation. While residents of Laikipia, Isiolo and Samburu counties have been assured that the dam would not deplete the river,<sup>281</sup> local leaders and civil society organizations have insisted that it would. Residents have protested the lack of consultation.

An abattoir with the capacity to slaughter 400 cattle and 1000 goats per day is being constructed in Isiolo North sub-county. However, county planning is critical to ensure that there is a constant supply of livestock to the abattoir so as to avoid a situation where the abattoir becomes a risk factor for armed cattle rustling for profit.<sup>282</sup>

A local administrative assistant to a chief likened the mega-projects to a ‘bad tsunami’. He raised concerns about the Isiolo Resort City, which would border Ngare Mara, Burat and Oldo Nyiro Wards which would in turn be affected by major in-migration, outnumbering local residents whose population is estimated to be 150,000. Compensation, he feared would be difficult due to the delay in group titling (under the 2016 Community Land Act). The health department also raised concerns about the population increase which would strain health services and increase the cost of living.<sup>283</sup> A founder of a local community-based organization (CBO), Pastoralist Empowerment Network (PEN), noted with concern the lack of qualified personnel within the

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<sup>277</sup> Interview, Chairman of Minorities, Interfaith Organization, Isiolo Town, 8 May, 2017

<sup>278</sup> Interview, name withheld, May 2018

<sup>279</sup> Interview, County Secretary for Tourism, Isiolo Town, 10 May, 2017

<sup>280</sup> Ibid.

<sup>281</sup> Jebet (2016)

<sup>282</sup> Interview, Director, Ministry of Livestock and Agriculture, Isiolo Town, 9 May, 2017

<sup>283</sup> Interview, County Health Department personnel, May 9, 2017

county to work on the mega projects, which is likely to result in the influx of outsiders and political and economic marginalization of indigenous communities. It was interesting to note the low aspirations of the youth in Kinna Ward. In one of the FGDs, the youths had indicated that they were contented with doing menial jobs in the projects, such as driving, guarding and even cleaning; they attributed their low aspirations to lack of education.

## **Conservation**

Conservancies are a relatively new development in Kenya over the past 20 years. The Wildlife Conservation and Management Act 2013 defines a conservancy as 'land set aside by individual landowner, body corporate, group of owners or a community for purposes of wildlife conservation'. The Northern Rangelands Trust (NRT), an NGO which is spearheading the formation of many community-owned conservancies, notes that a community conservancy is 'community-owned and community-run institution, which aims to improve biodiversity conservation, land management and the livelihoods of its constituents over a defined area of land traditionally owned, or used, by that constituent community.' NRT was set up in 2004 by a coalition of local leaders, politicians and conservation interests. The main headquarters of the NRT is in Lewa Wildlife Conservancy. (See Map 2 below).<sup>284</sup> There are five community conservancies supported by NRT in Isiolo County including Biliqo-Bulesa, Mpus-Kutuk/Kipsing, Leparua, Nasuulu and Nakuprat Gotu.<sup>285</sup>

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<sup>284</sup> King et al (2015)

<sup>285</sup> Interview, County Secretary for Tourism, Isiolo Town, May 10, 2017

*Map 2: Map showing NRT Community Conservancies*<sup>286</sup>



Ward administrators in Isiolo County noted that conservancies had brought some benefits to the region including: income from tourism, a livestock market, livelihood projects, bursaries for schools, construction of boreholes, construction of classrooms, and other Corporate Social Responsibility (CSR) projects. Three classrooms were built in Ngoto and a dormitory in Ngare Mara Girls High School. The community conservancies were also said to play an important role in conflict resolution and peace building. A conservancy staff member noted that the model assist communities to manage water and pasture resources, and that another advantage is that it allowed the members to sell their animals. 1% of the proceeds would go to the conservancies to be used for bursaries.<sup>287</sup> Funds are managed by a board.

A county official, however noted that it was difficult to determine the benefits derived from the conservancies since there was no investment. He described the conservancies as free rangeland with a lot of wildlife but no facilities. He attributed the lack of investment in and revenue from the conservancies to the perception that the area is insecure and argued for development of infrastructure and small micro-business.<sup>288</sup> There are also those who see conservancies as a massive “land grab” of pastoralist communities’ land by well-heeled people, mostly foreigners with local connections.<sup>289</sup> To them, conservancies prioritize wildlife over humans and livestock. Saferworld similarly found mixed reactions; while some communities support the establishment of the conservancies others feel that they have been created to deny communities access to grazing areas. This they attribute to a lack of information sharing between those establishing the

<sup>286</sup> See [nrt.org](http://nrt.org)

<sup>287</sup> Interview, Conservancy staff member, 10 May, 2017

<sup>288</sup> County Secretary for Tourism, Isiolo Town. 10 May, 2017

<sup>289</sup> Mkutu and Boru (upcoming)

conservancies and the communities.<sup>290</sup> There is also a major problem with human-wildlife conflict where conservation areas border human settlements.<sup>291</sup> The security dynamic of conservancies and wildlife areas is discussed in detail in the later section on security interventions.

### **Pastoral Conflict**

Pastoral conflicts in Isiolo County are associated with and fuelled by animosities between Borana, Gabra, Samburu, Rendille, and Somali communities in Isiolo and Meru counties over water, grazing rights and boundaries.<sup>292</sup> Conflicts also arise between pastoralists and farmers along River Isiolo, when pastoralists allow their livestock to graze on the farms.<sup>293</sup> According to Sharamo, the following factors are at play in Kenya:

The proliferation of deadly SALWs; climate change; competition over shrinking grazing lands and water resources as a result of increased human settlements and emergence of zoned wildlife parks/conservancies; and politicization of communal relations. Additionally, due to weakened traditional governance systems, breakdown of inter-communal social contracts, elders' loss of control over the youths, the persistence of *moran* (warrior) culture, and politicization of peace-making processes, pastoral conflicts have become quite intractable. Porous borders coupled with insurgency and counter-insurgency forces supported by neighboring states add a regional security dimension to Kenya's conflict situation.<sup>294</sup>

Details of pastoral conflicts are described in the section on dynamics of crime and violence. The Borana have a very prominent traditional system of governance, the *Gada* system of power succession, which also extends to rangeland management. The system relies on rules to limit exploitation of natural resources such as water sources, pasture and forests to preserve them for the benefit of all. There can be consultation and negotiation between the Borana and other ethnic groups over land access, but at other times, there may be conflicts. The system is discussed further in the later section on crime and violence prevention activities.

### **Ethno-Political Conflict**

There has been politicization of conflicts in the region since the advent of multi-party politics in the country, however, devolution has enhanced the benefits from political office, increasing inter and intra-clan competition.<sup>295</sup> Some have argued that if the “underlying structural drivers of

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<sup>290</sup> Saferworld (2015)

<sup>291</sup> Ibid.

<sup>292</sup> Limiri (2014)

<sup>293</sup> FGD with chiefs, Isiolo Town, 9 May, 2017

<sup>294</sup> Sharamo (2014)

<sup>295</sup> IRIS (2015)

fragmentation such as poverty and exclusionary politics are not addressed adequately at all levels of governance, devolution risks reproducing exclusionary cultures at the county level.”<sup>296</sup>

There are five main ethnic groups represented in Isiolo County: the majority Borana, Somali, Samburu, Turkana, and Meru. Menkhaus describes the communal clashes in Isiolo County, previously referred to as Isiolo District, in the 1980s which rendered the county, a fault line area where several major ethnic groups share uneasy and shifting boundaries, where both urban space and rangeland is contested, and where competition over seats in parliament and locations is acute, one of the most unstable areas of Northern Kenya. Although analysts differ over whether land disputes or political competition is the main driver of conflict in Isiolo, Menkhaus asserts that the fact that ethnic claims on land and ethnic control of political representation at the constituency and location levels are so closely intertwined makes the argument somewhat artificial.<sup>297</sup>

Cox describes the recent history of ethnic conflict in Isiolo from 1996 onwards. There have been two major bouts of ethno-political conflict, the first from 1996 to 2002, and the second from 2009-2012.<sup>298</sup> In 1996 the Borana raided the Degodia (Somali) in Eastern Isiolo; the ensuing conflict led to 1,200 fatalities in inter-ethnic group clashes.<sup>299</sup> Although it appeared to be a traditional inter-pastoral conflict characterised by raiding and resource-based conflict this was said to “cloak” the reality of political competition, with weapons supplied to the Borana who were allied to the ruling KANU party, by the political elite, to be used against the Degodia who supported the opposition. In 2009 follow a near defeat in the elections the Borana became fearful of losing their dominant position in the county. They united their clans and also allied with their former political enemies, the Somali, and battled against a Samburu-Turkana alliance for ethnic cleansing of Isiolo North Constituency. Again the conflict was characterised by typical inter-pastoral raids as well as attacks on settlements and enemy militias.<sup>300</sup>

Indigenous communities continue to fear that political seats, which were previously in their domain, may be taken over by Kenyans from other counties.<sup>301</sup> There is currently an inter-ethnic/inter-county Borana/Somali/Turkana/Samburu alliance against the Meru.<sup>302</sup> However, some of the conflicts are intra-communal; during the Jubilee party nominations in the 2017 elections, the Borana were divided into two camps,<sup>303</sup> heightened by social media (in particular WhatsApp, for which each Borana clan has a group), which was used to spread hate speech.<sup>304</sup> Scarcity of land fuels both pastoral and ethno-political conflicts in the area and tensions are

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<sup>296</sup> Rohwerder, (2015); Sharamo (2014)

<sup>297</sup> Menkhaus (2005)

<sup>298</sup> Cox (2015)

<sup>299</sup> CEWARN (2004) quoted in Cox (2015)

<sup>300</sup> Cox (2015)

<sup>301</sup> Interview, Chairman, Interfaith Organization, Isiolo Town, 8 May, 2017

<sup>302</sup> Ibid.

<sup>303</sup> Interview, County Commissioner, Isiolo Town, 9 May, 2017

<sup>304</sup> Interview, Media, 11 May, 2017

emerging in areas earmarked for the development of mega projects in the county, with a growing migration of elites, investors and communities from both pastoral and agricultural regions of Samburu, Baragoi, Marsabit, Meru and other parts of Kenya.<sup>305</sup>

## **Border Conflict**

Boundary disputes have been a problem since arbitrary boundary demarcations were made in the colonial era; the Isiolo-Meru boundary dispute originated from the ruling of the 1961 Royal Boundary Commission. The situation has been aggravated by devolution, which has intensified the competition for resources and power.<sup>306</sup> Development projects have also exacerbated boundary disputes between Isiolo County and neighboring counties, especially Meru County.<sup>307</sup> Some of the projects that have been linked to boundary disputes include, LAPSET, Isiolo International Airport, the Oil Refinery and the Resort City.<sup>308</sup> Ngige and Abdi comment that the pattern of attacks along the Isiolo-Meru border hints towards a well-coordinated plan by powerful individuals to cause tension and displacement along the proposed LAPSET corridor and to benefit from the latter.<sup>309</sup> They note that the disputed areas include Gambella, parts of Ngare Mara location like Attan, Kiwanja, Lewangila and Chumvi Yare, Ramadhan, Shaba Hills, Gotu and Magado. On the Meru side, the conflict is largely in Ndumuru, Gachiuru, Leeta, Njarune, Bulu and Kiutinne.<sup>310</sup> The Isiolo airport is also the subject of a boundary dispute between Isiolo and Meru counties and different parts of the airport are in both counties raising both electoral and administrative disputes.<sup>311</sup>

The 2013 Nanyuki Accord attended by elected leaders and community leaders of Isiolo and Meru counties sought to calm tensions arising from the historical boundary demarcations. The Accord emphasized the importance of inter-dependence and the need for communities in the two counties to co-exist peacefully and harmoniously.<sup>312</sup> It was agreed that: the dispute would be resolved through institutions whose mandate included boundary dispute resolution and identification; that activities taking place would be stopped until resolution had taken place; that the decisions of such institutions would be respected; and that there would be ongoing consultation between elders for peace, and engagement of respective administrators.<sup>313</sup> Conflict is ongoing however.

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<sup>305</sup> Sharamo (2014)

<sup>306</sup> Interview, former County Commissioner, Isiolo Town, 9 May, 2017

<sup>307</sup> Ibid.

<sup>308</sup> Saferworld (2015)

<sup>309</sup> Ngige and Abdi (2015)

<sup>310</sup> Ibid.

<sup>311</sup> Interview, former County Commissioner, Isiolo Town, 9 May, 2017

<sup>312</sup> Ibid.

<sup>313</sup> Resolutions of the Meru/Isiolo leaders meeting held at Sportsman Arms Hotel, Nanyuki, 20 December 2013.

## Education and Health

A majority of inhabitants live out of reach of adequate medical facilities; the doctor patient ratio is 12:100,000.<sup>314</sup> There are two level four hospitals (Isiolo and Garbatulla level four hospitals). There is fertility rate of 4.9 (national average 3.9)<sup>315</sup> while the infant mortality rate is estimated at 43 per 1000 live births,<sup>316</sup> and the under 5 mortality rate is estimated at 56 per 1000 live births. HIV prevalence is 3.8% (national average is 5.2%).<sup>317</sup>

Literacy is low at 32% (national average 66.4%)<sup>318</sup> with 51% of the population having not completed primary education.<sup>319</sup> There is a strong gender bias with around a half of men and two-thirds of women being illiterate.<sup>320</sup> Pastoralist livelihoods interfere with education, which is only practical during the wet season when families are relatively settled.<sup>321</sup> During the dry season, conflicts between pastoral communities and between farming communities tend to escalate and have resulted in the closure of some schools in Isiolo County.<sup>322</sup> Girls are especially affected during the dry season as they are withdrawn from school to support their mothers to search for food or take care of other children as their parents search for food; in some instances, they are married off early for the family to recover livestock and access food.<sup>323</sup> According to the Isiolo County Education Annual Status Report, factors in low retention and transition rates include repetition of classes, especially at the primary level; poverty, prolonged drought, tribal conflicts and inconsistent feeding programs.<sup>324</sup> One disincentive is the lack of employment activities available upon completion of studies.<sup>325</sup> It was also noted that the elite in the county do not educate their children in county schools, opting to educate them in other counties where the quality of education was thought to be better, while at the same time using children from poor families to herd their livestock.<sup>326</sup> One civil society respondent commented further that most political leaders are comfortable with the status quo and perceive educated people as a threat.<sup>327</sup>

Most of the communities in the county practice FGM followed by early marriage of girls; leading communities to see no reason to educate girls further. The County Director of Education noted that at the beginning of the school year, the enrolment numbers of both male and female

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<sup>314</sup> KNBS/Isiolo County (2015)

<sup>315</sup> KNBS (2014a)

<sup>316</sup> See <http://www.crakenya.org/county/isiolo/> accessed November 15, 2017

<sup>317</sup> National AIDS Control Council (2016)

<sup>318</sup> Isiolo County Education Annual Status Report (2015) accessed at source

<sup>319</sup> GOK (2014)

<sup>320</sup> UNDP/GOK (2009)

<sup>321</sup> Lekapana (2013); Nassef et al (2009)

<sup>322</sup> Interview, County Director for Education, Isiolo Town, 9 May, 2017

<sup>323</sup> Lekapana (2013)

<sup>324</sup> Isiolo County Education Annual Status Report (2015) accessed at source

<sup>325</sup> Interview, County Director for Education, Isiolo Town, 9 May, 2017

<sup>326</sup> Interview, name withheld, May 2017

<sup>327</sup> Interview, name withheld, May 2017

children are the same. However, as they approach the ages of between 10 – 15 years, the numbers of girls enrolled in schools begin to reduce. The situation is further compounded by early pregnancies, which either result from the marriages or sexual relations between students.<sup>328</sup> The Kenyan government has adopted several measures to improve the enrolment and retention rates of girls in schools, including: (i) criminalizing FGM and early marriages; (ii) introduction of free primary education; (iii) assistance for girls to return to school after delivering their babies; and (iv) sensitization campaigns conducted by chiefs aimed at increasing awareness of the importance of education. The County Director commented that these measures have been successful.

Even for boys, few go beyond primary level; reasons include pastoralist livelihoods as noted, as well as radicalization, and government policies which tend to focus more attention on the girl-child rather than the boy-child.<sup>329</sup> (See Tables 8 and 9, below).

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<sup>328</sup> Interview, County Director for Education, Isiolo Town, May 9, 2017

<sup>329</sup> Ibid.

Table 8: Enrolment by gender in 2015<sup>330</sup>

	ECDE			Primary			Secondary		
	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total
Public	6,115	6,020	12,135	14,277	13,908	28,185	2,293	1,370	3,663
Private	2,806	2,542	5,348	3,938	3,840	7,778	374	437	811

Table 9: Transition and completion rates by gender in 2015<sup>331</sup>

TRANSITION RATES %						COMPLETION RATES %								
ECDE TO PRIMARY			PRIMARY TO SECONDARY			SECONDARY TO HIGHER			PRIMARY			SECONDARY		
Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total
64.2	61.6	63.4	56.2	61.2	58.7	91.2	87.6	89.4	62.5	76.0	69.3	80.5	83.8	82.1

According to the County Director for Education, enrolment rates dropped drastically in schools in which radicalization was alleged to have taken place or was taking place. The schools that were majorly affected were, Isiolo Boys and Girls High Schools, Garba Tulla High School, Bulawaso (a private high school) and Alfarawa Primary School; it is believed that approximately 30 boys have been radicalized.<sup>332</sup> Enrolment in Isiolo Boys High School has dropped by half.<sup>333</sup>

Isiolo County has only one technical institute, which is under construction and is yet to admit the first batch of students.<sup>334</sup> A teacher training college is yet to be established and there is one Youth Polytechnic that is fully operational.<sup>335</sup> Isiolo has only one secretarial college.<sup>336</sup>

A majority of the youths in Isiolo County are not employed.<sup>337</sup> Lack of employment among the youth has been linked to lack of education.<sup>338</sup> Though the mega projects being developed in the county are likely to create numerous employment opportunities, the inhabitants of the county, especially the youth are unlikely to benefit from such opportunities. This could be due to the fact that they may lack some of the requisite skills needed for some of the jobs due to lack of education. It was interesting to note the low aspirations of the youth in the county. During an FGD in Kinna, the youth indicated that they were excited about the prospect of getting jobs in the mega projects. However, when asked what kinds of jobs they would like, they mentioned, security guards, drivers, janitors, etc.<sup>339</sup> They attributed their choice of jobs to the lack of

<sup>330</sup> Isiolo County Education Annual Status Report (2015) accessed at source

<sup>331</sup> Isiolo County Education Annual Status Report (2015) accessed at source

<sup>332</sup> Ibid.

<sup>333</sup> Interview, Organizing Secretary, Interfaith Organization, Isiolo Town, 8 May, 2017

<sup>334</sup> Isiolo County Education Annual Status Report (2015) accessed at source

<sup>335</sup> Ibid.

<sup>336</sup> Interview, Secretary, Interfaith Organization, Isiolo Town, 8 May, 2017

<sup>337</sup> Interview, Secretary, Interfaith Organization, Isiolo Town, 8 May, 2017

<sup>338</sup> Kumssa & Kiriti-Ng'ang'a (2016)

<sup>339</sup> FGD, Youth Group, Kinna, 10 May, 2017

education or low levels of education. A majority of the youth who participated in the FGD indicated that they had secondary level education. It is feared that the county will have to import labour, especially with the mega projects, from outside. This could be a source of conflict, as is the case in Turkana County, given the problem of SALWs.<sup>340</sup>

Several factors have contributed to marginalization of the region in terms of education. Ruto et al, have identified some of these factors: Firstly, there is socio-cultural alienation, whereby those who receive formal education are alienated culturally where the society is predominantly Muslim and formal education is associated with Christianity; secondly as noted, there is adherence to retrogressive cultural practices including FGM and early marriages; thirdly, there is the issue of socio-economic returns, high levels of unemployment cast doubt on the economic viability of education; fourthly, there is a language barrier, (the official languages of instruction are English and Kiswahili). Fifthly, the region suffers from political isolation due to neglect by the national government although the government has tried to address the issue by adopting education policies and affirmative action in favour of the region. These have included: funding of low cost boarding schools; a school-feeding programme; reserving places for children from the region in national secondary schools; and drafting a Nomadic Education Policy, which attempted to adjust school systems to the realities of pastoral migration patterns.<sup>341</sup>

### **Cultural Practices**

Harmful cultural practices tend to promote crime and violence. Some of the cultural practices violate human rights enshrined in international, regional and local legal instruments, including the Kenyan Constitution. Harmful cultural practices such as early (child) or forced marriages, female genital mutilation (FGM), dowry-related crimes, taboos and preference for male children, mostly affects women and girls. Such practices are believed to ensure political and economic subordination of women.<sup>342</sup> However, it should be noted that men and boys also experience particular disadvantages as a result of cultural expectations to assist with herding, which limits access to education, and moreover, to engage in cattle rustling/raids. According to Schilling et al, the majority of people engaging in cattle raids were males below the age of 30.<sup>343</sup>

### ***Dynamics of Crime and Violence***

This section begins with presenting the available quantitative data which provides an overview of crime and violence trends in the county. This is followed by detailed information on some of the specific forms of crime and violence which people saw as important, their dynamics and specific contributory factors as revealed by the qualitative component of the research and supplemented by secondary data.

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<sup>340</sup> Interview, Secretary, Interfaith Organization, 8 May, 2017

<sup>341</sup> Ruto et al (2009)

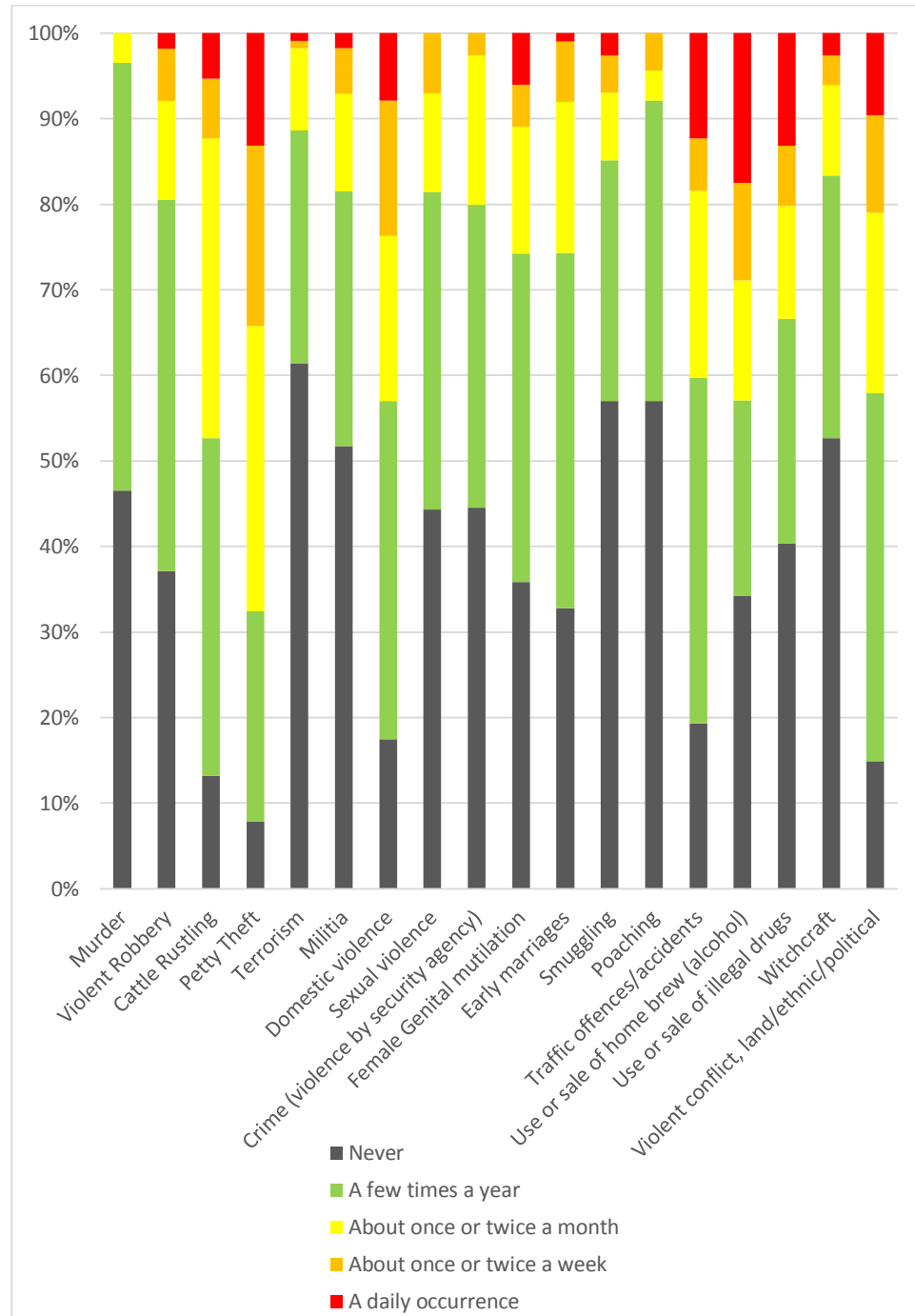
<sup>342</sup> Grabman and Eckman (n.d.)

<sup>343</sup> Schilling et al (2012)

## **Overview of Crime and Violence**

Figure 19 summarizes quantitative survey data on perceived frequency of various types of crime and violence in Isiolo. Interestingly, a large number of respondents were of the opinion that most of the crimes they were asked about did not occur in Isiolo. For example, 43.9% believed that sexual violence never occurred and 57% believed that neither smuggling nor poaching occurred despite evidence to the contrary from other sources. In the case of sexual violence, this may reflect different perceptions of what constitutes violence, while in the case of smuggling this may reflect lack of awareness. A majority identified petty theft, violent robbery, road traffic accidents, use and sale of home brews, use and sale of drugs, early marriages, female genital mutilation (FGM) and violent conflict (including conflict over land) as prevalent and frequent.

Figure 19: Perceptions about frequency of crime



The participants identified violence hotspots in the county including, Bulla Pesa, Ngare Mara, Ngabela, Garba Banale, Kom, Garba Tulla, Kom, Kipsing, Mkogodo and the outskirts of Isiolo County. Some of the hotspots, e.g. Kom, are convergence point for pastoralists during the dry season.

Police data was available for the years 2014-2016 (see Table 10). Notably high incidents are recorded for defilement, stealing and assault with the most prevalent being petty offences. Assaults are likely to include both gender-based violence and serious injuries sustained in cattle raids in which the hospital has become involved. It should be noted that in some instances the police reports seemed to indicate that some of the above-mentioned crimes did not occur, e.g., prostitution, FGM, early marriages, kidnapping (disappearances), poaching, radicalization/violent extremism and smuggling. There are some possible explanations for this anomaly. Firstly, crimes may be classified differently than would be expected, or classified as other Penal Code offences. Secondly most crimes are simply not reported to the police, because of low police presence, fear or mistrust of the police, use of alternative mechanisms for justice or normalization of those crimes/forms of violence in society. Lastly, crimes such as violent extremism/radicalization are not included in the Kenyan Penal Code but are governed by the Prevention of Terrorism Act 2012 and the Security Amendment Laws of 2014, and data on these is held by the Anti-Terrorism Police Unit and is difficult to access.

Police data on homicides may be incomplete: participants in the survey stated that quite a number of people were killed during cattle raids, which may not be reported due to lack of police presence, and unwillingness to report. Regarding suicide, some of the youths in Kinna claimed that some youths had committed suicide in the area;<sup>344</sup> however, the lack of reporting is likely to be associated with the desire to avoid police involvement where nothing can be done. Similarly, infanticide figures are at zero, though infanticide does sometimes take place (see later section on sexual crime and violence).

A few other useful points may be made with regard to the police data. Cattle rustling, though prevalent, is not recorded under its relevant section, and is likely to reflect in the category entitled “stock theft”. However, much of it is probably not reported at all.

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<sup>344</sup> FGD with youths, Kinna, 9 May, 2017

Table 10: Crimes in Isiolo County 2015 and 2016 (police records)

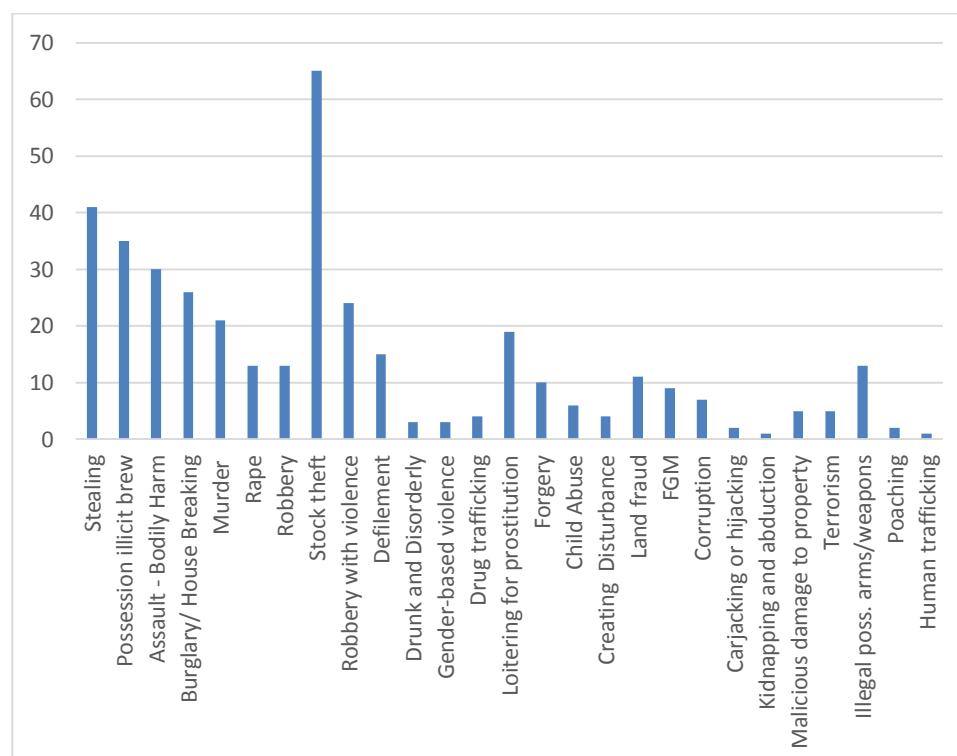
OFFENCE	CATEGORY OF OFFENCES	2014	2015	2016	DIFF
HOMICIDES	A. Murder	8	8	5	
	B. Manslaughter				
	C. Infanticide				
	D. Procuring abortion				
	E. Concealing birth				
	F. Suicide				
	G. Attempted suicide				
	G. Causing death by dangerous driving				
	<b>SUB-TOTAL</b>	<b>8</b>	<b>8</b>	<b>5</b>	
OFFENCES AGAINST MORALITY	A. Rape	5	2	4	
	B. Defilement	45	18	30	
	C. Incest	0	0	0	
	D. Unnatural offences [sodomy]	2	0	1	
	E. Bestiality	0	0	0	
	F. Indecent assault	5	1	1	
	G. Sexual harassment				
	H. Abduction				
	I. Bigamy				
	J. Gang rape				
	<b>SUB-TOTAL</b>	<b>57</b>	<b>21</b>	<b>36</b>	
OTHER OFFENCES AGAINST PERSONS	A. Assault	85	61	93	
	B. Creating disturbance	0	29	34	
	C. Affray	0	0	1	
	D. Grievous harm	0	1	2	
	<b>SUB-TOTAL</b>	<b>85</b>	<b>90</b>	<b>110</b>	
ROBBERIES	A. Robbery	20	1	9	
	B. Robbery with violence	0	12	18	
	C. Carjacking	0	0	2	
	D. Robbed of motor vehicle	0	0	0	
	E. Cattle rustling	0	0	0	
	<b>SUB-TOTAL</b>	<b>20</b>	<b>22</b>	<b>21</b>	
BREAKINGS	A. House breaking	0	26	13	
	B. Burglary	41	11	21	
	C. Other breaking	0	0	21	
	<b>SUB-TOTAL</b>	<b>41</b>	<b>37</b>	<b>55</b>	
THEFT OF STOCK	Theft of stock	40	20	4	
	<b>SUB-TOTAL</b>	<b>40</b>	<b>20</b>	<b>4</b>	
STEALING	A. Handling stolen property	5	2	0	
	B. Stealing from person	0	0	2	
	C. Stealing by tenants/lodgers	0	0	0	

	D. Stealing from a building	0	0	3	
	E. General stealings	82	33	46	
	<b>SUB-TOTAL</b>	<b>87</b>	<b>35</b>	<b>48</b>	
THEFT BY SERVANT	A. Stealing by directors	0	0	0	
	B. Stealing by agents	0	5	2	
	C. Stealing by employee/servant	6	5	10	
	<b>SUB-TOTAL</b>	<b>6</b>	<b>10</b>	<b>12</b>	
VEHICLE AND OTHER THEFTS	A. Theft of m/v	1	0	0	
	B. Theft from locked m/vs	3	0	3	
	C. Theft of m/v parts	2	0	0	
	D. Theft of motor cycle	0	2	6	
	<b>SUB-TOTAL</b>	<b>6</b>	<b>2</b>	<b>9</b>	
DANGEROUS DRUGS	A. Possession	17	10	9	
	B. Handling	0	0	0	
	C. Trafficking	0	0	0	
	D. Cultivating	0	0	0	
	E. Usage	0	0	0	
	<b>SUB-TOTAL</b>	<b>17</b>	<b>10</b>	<b>9</b>	
TRAFFIC OFFENCES	A. Taking vehicle w/o lawful authority				
	B. Driving under influence of alcohol/drugs				
	<b>SUB-TOTAL</b>				
CRIMINAL DAMAGE	A. Malicious damage	10	10	25	
	B. Arson	15	10	2	
	C. Negligent acts	0	0	0	
	D. Other criminal damage	0	0	0	
	<b>SUB-TOTAL</b>	<b>25</b>	<b>20</b>	<b>27</b>	
ECONOMIC CRIMES	A. Obtaining by false pretence	0	11	8	
	B. Currency forgery	0	2	0	
	C. False accounting	0	0	0	
	D. Conspiracy to defraud				
	E. Issuing bad cheque				
	F. Other fraud/forgery offences	0	0	1	
	<b>SUB-TOTAL</b>		<b>13</b>	<b>9</b>	
CORRUPTION	A. Soliciting for bribe		2		
	B. Accepting bribe		0		
	C. Accepting free gifts		0		
	D. Demanding by false pretence		0		
	E. Other corruption offences		2		
	<b>SUB-TOTAL</b>		<b>4</b>		
OFFENCES INVOLVING POLICE OFFICERS	A. Soliciting for bribe		2	6	
	B. Accepting bribe		0	0	
	C. Accepting free gifts		0	0	
	D. Demanding by false pretence		0	0	
	E. Other criminal offences		1	3	

	<b>SUB-TOTAL</b>		<b>3</b>	<b>9</b>	
OFFENCES INVOLVING TOURISTS	A. Bag snatching				
	B. Other offences against tourists				
	C. Other offences				
	<b>SUB-TOTAL</b>				
OFFENCES AGAINST CHILDREN	A. Child Stealing				
	B. Child Trafficking				
	C. Cruelty To Child				
	D. Other Offences Against Children				
	<b>SUB-TOTAL</b>				
PETTY OFFENCES	A. Liquor Licensing Act	14	43	1	
	B. Traditional Liquor Act	0	0	0	
	C. Chang'aa Prohibition Act	76	97	42	
	D. Other Acts	1007	1120	520	
	<b>SUB TOTAL</b>	<b>1097</b>	<b>1260</b>	<b>563</b>	
OTHER PENAL	Other penal code offences	<b>73</b>	<b>19</b>	<b>56</b>	
<b>GRAND TOTAL</b>		<b>1562</b>	<b>1556</b>	<b>973</b>	

A survey by National Crime Research Centre in 2016 spoke to around 100 people in each county who listed the common crimes taking place in their localities. In Isiolo, the most commonly mentioned crime was stock theft, followed by stealing, possession of illegal brew, assault and robbery with violence. Possession of weapons, prostitution and FGM were also mentioned more than in many other counties (see Figure 20).

Figure 20: Commonly mentioned crimes in Isiolo County 2016<sup>345</sup>



## Stealing

As would be expected, stealing is one of the most common of all crimes. Women in Ngare Mara gave an important perspective on this however; they said that they knew that stealing was wrong and that it was a crime (*akoko*), but that they had been forced by circumstances to resort to stealing. They stated that poverty and lack of food forced them to steal in order to provide for their family. They insisted that they had a conscience and whenever they were compelled to steal they asked God to forgive them.<sup>346</sup>

## Pastoral Conflicts

Traditionally, cattle rustling involved small-scale manageable violence and theft of the best livestock or replacement of animals lost during periods of droughts or diseases. However, in recent years, due to the proliferation of modern small arms, commercialization of cattle rustling, dispute over land tenure rights, banditry and predation, the cultural practice has become a widespread, sophisticated, more violent, and destructive activity among pastoral communities in northern Kenya.<sup>347</sup> Cattle rustling is prevalent amongst the pastoral communities in Isiolo and is

<sup>345</sup> NCRC (2016)

<sup>346</sup> FGD with women, Ngare Mara, 10 May, 2017

<sup>347</sup> Schilling et al (2012); Osamba (2000)

normal practice in the rainy season.<sup>348</sup> This has been attributed to the availability of SALWs, collusion of and financing by politicians and commercialization of the activity. The County Commissioner noted that most of the communities were involved as both aggressors and victims, but that the Turkana and Samburu were particularly notorious. He stated “The Samburu are the ATM and the Turkana are the PIN.”

The Samburu culture of young men having the role of *moran* or “warrior” is relevant here; following initiation rites, they spend 10 years in the bush fending for themselves before becoming junior elders. The Borana and Somali lack this culture and “military” organization, and as such, during the ethno-political conflicts from 2009-2012 previously mentioned, they were vulnerable to Samburu attacks.<sup>349</sup> In this sense the Turkana do have a similar culture to the Samburu, with an age set system serving a security role.<sup>350</sup>

There is also a long-running conflict between the Samburu and Turkana, mostly involving cattle raids/rustling; they became more severe in December 2016, with the most recent attack being in February 2017.<sup>351</sup> There is inter-marriage between the Turkana and Samburu but it does not foster cohesion between the two communities; dowry is paid out in the form of livestock as demanded by culture but is reclaimed through cattle raids.<sup>352</sup> Women have an important role in encouraging raiding violence. The return of young men (warriors) from a raid with hundreds of cattle would earn praises from young women and the elders for defending their community.<sup>353</sup> Women confirmed that this is the case, and described how if young men stay at home instead of going to raid, their mothers may complain that they don’t have sons at all.<sup>354</sup>

#### *Kom (Chari Ward, Merti sub-county)*

Kom is traditionally used by the Borana, Samburu, Rendile and Somali pastoralists as a dry season reserve grazing area.<sup>355</sup> During severe droughts, the area also hosts the Turkana from Isiolo and Somali (Degodia and Aajuran) pastoralists from Garissa and Wajir counties. Intense resource competition leads to conflict and the area can become a “no go zone”; the conflict at times evolves to include cattle rustling and revenge attacks.<sup>356</sup> The sophisticated weaponry used by some of the combatants during the conflicts raised concern that some of them could also be NPRs or government soldiers, while it was also alleged that senior civil servants and government officers were involved, since they owned some of the livestock brought to Kom.<sup>357</sup> Similarly, some felt that the conflict in Kom was weighted in favour of the Samburu who have been

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<sup>348</sup> Interview, Assistant Chief, Duse, Kinna, 10 May, 2017

<sup>349</sup> CRECO (2012)

<sup>350</sup> Interview, Secretary to the Chief, Ngare Mara, 10 May, 2017

<sup>351</sup> FGD with women, Ngare Mara, 10 May, 2017

<sup>352</sup> FGD with women, Ngare Mara, 10 May, 2017

<sup>353</sup> Daballen (2014)

<sup>354</sup> Ibid.

<sup>355</sup> FGD with Ward Administrators, Isiolo Town, 9 May, 2017

<sup>356</sup> Ibid

<sup>357</sup> Ibid.

supported by politicians and conservancies, as noted, and have more sophisticated weapons.<sup>358</sup> Several heads of cattle have died as a result of the pastoralists' fear to venture into Kom during the dry season.<sup>359</sup>

#### *Kinna Ward, Garbatulla Sub-County*

There are several conflicts in Garbatulla between the Somali and the Borana.<sup>360</sup> Kinna ward, which is predominantly inhabited by the Borana, borders Meru County, Garissa County and the Meru National Park. The main livelihood of the inhabitants of this area is pastoralism, though some irrigation farming and subsistence farming also take place. Conflicts occur between the Borana and the Somali from Garissa County, and between the Borana and the Meru from Meru County after rains.<sup>361</sup> Again, Kinna operates the *Gada* governance system of rangeland management but this is not always respected by non-Borana groups.<sup>362</sup>

Kula Mawe location has been greatly affected by militia attacks, cattle raids and arms trafficking; there are Borana and Somalia militias said to be funded by the Isiolo leaders and cattle can 'disappear into thin air'.<sup>363</sup> Stolen livestock may be being transported in trucks out of the area to other towns, including Nairobi. There are also persistent grazing conflicts in Duse location, a water catchment area which is used during the dry season. The major conflict is with the Aulihan herders from Garissa County who are accused of allowing camels to enter the reservoir and ignoring the agreements of the Modogashe Declaration.<sup>364</sup> In some instances, elders from the Aulihan clan come and negotiate with the Borana elders, and pay a fee to access the pasture, but armed youths may abuse the system and also demand money from the Aulihan,<sup>365</sup> a problem which stems from inter-generational conflict over the sharing of money.<sup>366</sup> The population of Duse, which is approximately 3,000, fled to Kinna, following a recent attack by the Somali. Only 2,000 had returned to Duse (at the time of research).<sup>367</sup> The chiefs try to settle disputes between the two communities and sometimes involve security agencies to forcibly remove the Aulihan.<sup>368</sup> However, some believe that the Aulihan are alleged to have the support of politicians.<sup>369</sup> As noted earlier, a similar allegation was made against the Samburu in Kom.

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<sup>358</sup> Interview, County official, name withheld, Isiolo Town, 9 May, 2017

<sup>359</sup> FGD with Ward Administrators, Isiolo Town, 9 May, 2017

<sup>360</sup> Interview, UN Peace Worker, Isiolo, 7 May, 2017

<sup>361</sup> Interview, Ward Administrator, 9 May, 2017

<sup>362</sup> FGD with Peace Group, Kinna, 10 May, 2017

<sup>363</sup> Interview, UN Peace Worker, Isiolo Town, 7 May, 2017

<sup>364</sup> Interview, administrator, name withheld, 10 May, 2017

<sup>365</sup> Interview, Administration Police Officer, Kinna, 10 May, 2017

<sup>366</sup> FGD with youths, Kinna, 10 May, 2017

<sup>367</sup> Interview, administrator, name withheld, 10 May, 2017

<sup>368</sup> FGD with youths, Kinna, 10 May, 2017

<sup>369</sup> Ibid.

## Small Arms

Cattle rustling and inter-communal conflicts are exacerbated by the ready availability and widespread use of small arms in the region.<sup>370</sup> A chief said “It’s easier to buy a gun in Isiolo than *bhang* (marijuana)”.<sup>371</sup> Another administrator stated “You call a peace meeting and you see guns, they are used as sticks to fight.”<sup>372</sup> However, there is widespread feeling that arms are absolutely essential for pastoralists to protect their cattle wealth, like armed guards at an ATM machine. The tension in the area is aptly captured by the following remark by the Assistant Chief of Duse, “Our cows eat with guns.” This is because police presence and capacity in these rural areas is low, “Security agencies have difficulties pursuing and apprehending the cattle rustlers. It is believed that the rustlers had more power than the security.”<sup>373</sup> According to a Ward Administrator, Kinna used to experience banditry from the Somalis in the early 1990s. The bandits would attack repeatedly until 1996 when the locals decided to arm themselves. The arms were referred to as ‘friendly forces’ or ‘walking sticks’. The administrator stated that this brought peace due to what he referred to as “the balance of terror” until March 2017, when Somalis attacked. A chief gave the opinion that guns are not used freely or carelessly lest they be taken away, and that a majority of the pastoralists are ex-soldiers and have strict instructions on how to use the arms.<sup>374</sup> However, such limits are clearly not always adhered to.

Pastoral communities find also owning firearms to be prestigious.<sup>375</sup> This was reiterated by the youth in Kinna, who stated that most of youths thought it was ‘cool’ to handle firearms and aspired to be soldiers.<sup>376</sup> Arms acquisition also increased in the pre-election period in 2017,<sup>377</sup> and politicians were suspected of using CDF money to buy arms and ammunition.<sup>378</sup>

As noted, small arms dramatically increase the danger and scale of cattle raiding. Around 1000 injuries recorded by hospitals in 2016 were classified as violence (which is a new category since 2016). The county health department clarified that this category referred to gunshot injuries, likely to have been sustained in frequent cattle raids that occur in the region. Such injuries may in some cases be fatal, or may result in significant disability, which is especially difficult for pastoralists who have a mobile and physically demanding lifestyle.

The county, with its geographically central yet remote location is a hub for the small-arms trade which has strong over the last 50 years.<sup>379</sup> A peace worker described how SALWs are sourced illegally across the porous borders from Somalia, Ethiopia, and also from the Kenyan government

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<sup>370</sup> Saferworld (2015); Wepundi et al (2012)

<sup>371</sup> FGD with chiefs, Isiolo Town, 9 May, 2017

<sup>372</sup> Interview, administrator, name withheld, Isiolo Town, 8 May, 2017

<sup>373</sup> FGD with chiefs, 9 May, 2017

<sup>374</sup> Ibid.

<sup>375</sup> Interview, County Director for Education, Isiolo, 9 May, 2017

<sup>376</sup> FGD, Youth Group, Kinna, 10 May, 2017

<sup>377</sup> Interviews, various, including *boda boda* operators. 8-14 May, 2017

<sup>378</sup> Interview, senior administrator, name withheld, 9 May, 2017

<sup>379</sup> Mkutu (2008)

itself through arming of paramilitary forces, a decision which was often influenced by politicians.<sup>380</sup> Kula Mawe is a site of illegal arms trafficking.<sup>381</sup> Types and costs of guns were given by various sources; NPRs are given G3s by the government, while arms coming through border with neighboring countries are usually AK47s. It is not known how M16 guns are reaching community members, since they are usually a British or US weapon. A G3 is around 150,000, an AK47 was estimated at 80,000 while a Carbine goes for around 60,000.<sup>382</sup> Cheaper AK47s seemed to be available though, at as low as 14,000.<sup>383</sup> Some people were obtaining M16 guns and ammunition which are used by the British Army in the area; through means yet to be confirmed.<sup>384</sup> Ammunition may also be acquired from a number of sources including the Kenya Police, Administration Police, army, prisons and KWS.<sup>385</sup> Bullets for the G3 were 200 KShs (approx. \$2 US), each while those for the AK47 are around 150-170 KShs (approx. \$1.5-1.7 US - various sources). Politicians were said to assist the locals to buy bullets.<sup>386</sup> Arms traders come from northeastern parts of Kenya including El Wak.<sup>387</sup> They may be smuggled along with animals and other commodities, including *miraa*.<sup>388</sup>

Cox in his analysis of the ethno-political conflicts in Isiolo from 2009-2012 describes how the state responded in a variety of ways, deploying specialist policing units (Anti-Stock Theft and Rapid Deployment Units) as well as military (Kenya Defence Force) and also armed communities by creating National Police Reservists (local armed volunteers).<sup>389</sup> One plan to arm the Borana in order to balance power and hence mitigate conflict had the unintended effect of increasing armament by the Samburu who then engaged in offensive attacks to undermine the capacity of their enemies.<sup>390</sup> Ultimately as the 2013 election loomed, both armament and disarmament became strongly politicised.

There have been several disarmament attempts over the years in Isiolo County as described. The security agencies in the region, led by the County Commissioner, mounted a major disarmament exercise in 2015 to mop up illegal firearms,<sup>391</sup> which may have led to a short term reduction in stock theft reflected in police statistics. The most recent exercise in 2016 called on communities to register their illegal weapons and to be considered for NPR positions. Around 40 arms were yielded after several months. However a local administrator complained “The government is disarming people (Isiolo) but our neighbors are not disarmed so we are at a loss.”<sup>392</sup> Residents of

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<sup>380</sup> Interview, UN Peace Worker, name withheld, 7 May, 2017

<sup>381</sup> Ibid.

<sup>382</sup> Interview mzee wa kijiji, Kinna, 9 May, 2017

<sup>383</sup> Interview, an administrator, name withheld, Burat, 9 May, 2017

<sup>384</sup> Interview, senior administrator, 9 May 2017

<sup>385</sup> Interview mzee wa kijiji, Kinna, 9 May, 2017

<sup>386</sup> Interview, Ward Administrator, name withheld, 9 May, 2017

<sup>387</sup> Interview, Administration Police Officer, Kinna, 10 May, 2017

<sup>388</sup> Various interviews, May 2017

<sup>389</sup> Cox (2015)

<sup>390</sup> Saferworld (2009) and UNDP (2010) quoted in Cox (2015)

<sup>391</sup> Jebet (2015b)

<sup>392</sup> Interview, secretary to the Chief, Ngare Mara, 10 May, 2017

Ngare Mara, which neighbors Samburu County, note that that they need guns to survive.<sup>393</sup> Disarmament, when it takes place in Kenya is often heavy handed, failing to acknowledge the root causes of the demand for arms. It is also often poorly coordinated across local and international borders, and unmatched by an adequate security presence in protection of those communities, leaving them unprotected. Lastly, sometimes the government or elites may be actively arming other communities for their protection. Thus communities often submit old or defunct arms, or government-issued arms and keep another illicit weapon aside.<sup>394</sup>

### **Radicalization and Recruitment into Violent Extremism**

Although Isiolo has not experienced any terrorist attacks, radicalization and recruitment of youths into violent extremist groups is a serious problem in the county according to key informants including the County Commissioner. One respondent said “A father who was a doctor bought a motorbike for his son at 120,000 KShs (approx. \$1,200 US). After a week the son bought petrol and got on the motorbike with 2 of his friends. They were later found on the Kenya-Somalia border, while on drugs. All the boys that are disappearing are *bhang* smokers.”<sup>395</sup>

The Deputy Governor concurred that two years ago media reports reported that 22 boys from Isiolo Boys High School, (Merti sub-county) had been radicalized and had left for Somalia, with a few joining ISIS. According to the community-based organization Sensitization of Communities on Radicalization and Empowerment Solutions (SCORES), approximately 40 youths have been recruited into Al-Shabaab; these included the 22 previously mentioned and others from St. Paul’s and Barracks schools.<sup>396</sup> Others have estimated higher. Two were girls who joined ISIS.<sup>397</sup> Most of the youths who left were from four leavers. As a result of the incident, enrolment Isiolo Boys dropped significantly, from approximately 500 students to about 200 students; therefore, fear of radicalization has brought new problems. There have been no reported cases of radicalization in 2017.<sup>398</sup> Other reports confirmed recruitments of around 26 youths in various villages.<sup>399</sup>

Bulla Pesa may be a particular hotspot for radicalization and recruitment.<sup>400</sup> There are several factors which may render Isiolo vulnerable to radicalization including: the central position as well as relatively close proximity to the border with Somalia; the cosmopolitan nature of the county and diverse religious beliefs which may play into recruitment narratives; and the use of social media and mobile money transfer.<sup>401</sup> The Deputy Governor, however, argued that Isiolo County

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<sup>393</sup> Interview, secretary to the Chief, Ngare Mara, 10 May, 2017

<sup>394</sup> Mkutu (2008)

<sup>395</sup> Interview, Chair of Boda Boda Association, Isiolo Town, 12 May, 2017

<sup>396</sup> It should be noted that though the youths were recruited from schools within Isiolo County, not all of them were from the county.

<sup>397</sup> Interview, SCORES personnel, Isiolo Town, May 12, 2017

<sup>398</sup> Ibid.

<sup>399</sup> Interview, Ward Administrator, Isiolo Town, May 9, 2017

<sup>400</sup> Ibid.

<sup>401</sup> Interview, SCORES personnel, Isiolo Town, May 12, 2017

was not an exception, since Rift Valley and Western Kenya had also experienced recruitment drives.

Contrary to the common assumption that those recruited into terrorist organizations come from a poor background with little or no education, in this study the reverse appeared to be true since most were form four leavers. With regard to ISIS, of the three youths recruited, two were students at Moi University. One who was in the engineering department reportedly died in a US missile attack.<sup>402</sup> Most notable in Isiolo however, was the incident of the son of the county assembly speaker who was arrested at the Kenya-Somalia border while trying to cross over into Somalia; he had called his parents to say “Do not worry about me, I am with God.”<sup>403</sup> There may be a link with having left form 4 however. A chief said “Most youths have no employment. After school they return home and chew *miraa*. Many who have finished Form 4 are recruited and those that are in school just disappear.”<sup>404</sup>

A religious leader suggested that financial incentives offered by recruiters and poor relationships with parents or lack of parenting are relevant factors in recruitment,<sup>405</sup> while recruiters also target new converts to Islam.<sup>406</sup> Social media platforms such as Twitter and Facebook are also being used in radicalization and recruitment, and some mentioned a connection with drug use. A religious leader mentioned that the placing of children in boarding schools can be a sign of poor relationship between children and parents, and may make them more vulnerable to radicalization and recruitment. A Muslim peace worker concurred that parents, and wealthy parents in particular, often did not know what was happening to their children.<sup>407</sup>

In 2009, the national government recruited thousands of predominantly Somali youths from Garissa, Wajir, Mandera and Isiolo counties and offered them military training to fight Al Shabaab. They received training at a military base at Archer’s Post in Samburu county and at the Kenya Wildlife Service (KWS) training facility at Manyani in Taita-Taveta county. They were promised lucrative terms to fight alongside former Somalia Transitional Federal Government (TFG) troops, i.e., a salary of 255,000 KShs per month (approx. \$2,550 US), insurance for them and their families, prime plots in Ras Kamboni and Kismayu and permanent resettlement as part of the deal to fight rising threats from the Islamic Courts Union and its allies led by Al Shabaab.<sup>408</sup> Other youths were trained in Uganda, Ethiopia and Djibouti. However the government failed to fulfil its promises leading some of those trained to join Al Shabaab instead, either in Somalia or as “sleeper cells” in Kenya.<sup>409</sup>

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<sup>402</sup> Ibid.

<sup>403</sup> FGD with Ward Administrators, Isiolo Town, 9 May, 2017

<sup>404</sup> FGD with chiefs, Isiolo Town, 9 May, 2017

<sup>405</sup> Interview, religious leader, Isiolo Town, 8 May, 2017

<sup>406</sup> Interview, SCORES personnel, Isiolo Town, 12 May, 2017

<sup>407</sup> Interview, religious leader, Isiolo Town, 8 May, 2017

<sup>408</sup> Abdi (2015)

<sup>409</sup> Ibid.

Recruiters are apparently known to both the locals and the police. Youths are normally recruited by a person known to them, even a relative or close friend, with whom there is a relationship of trust.<sup>410</sup> A Muslim peace worker expressed his concerns about radicalization happening in their midst and noted that the radicalizing preachers were known to the security and government and were protected through corrupt means and intimidation. Recruiters are not exclusively male, there is a well-known female recruiter who has been in and out of police custody.<sup>411</sup>

Some recruiters involved in the radicalization of youths in Isiolo County are believed to come from Bulla Pesa.<sup>412</sup> Some respondents suggested that there was a link between the radicalization and *chang'aa* brewing because the narrative used by recruiters played on the religious diversity in the county and the production, sale and consumption of alcohol, which is contrary to tenets of Islam.<sup>413</sup> Chiefs also noted that there was an association between radicalization and *miraa* (a plant which is chewed to give a mildly stimulant effect). Recruiters made the most of the fact that youths had little else to do but gather together and chew the drug and used this time to target and indoctrinate them.<sup>414</sup>

Some of the key indicators of possible radicalization include; change in behavior and a change in company kept.<sup>415</sup> A civil society officer noted that often there is a positive behavior change to become good and polite, and as they embark on the journey to either Somalia or Syria, they call their parents, usually their mother, to inform them.

It was said that returnees from Isiolo County do not return to the county; estimates varied on the number of returnees in Isiolo County, between 4 and 11.<sup>416</sup> They are in hiding because of fear for their lives and stigmatization, and feel at odds both with communities and authorities who all perceive them as criminals. On the other hand they also face a threat from Al Shabaab.<sup>417</sup>

Currently, there is neither a policy on the issue of 'returnees' nor a toolbox on Countering Violent Extremism (CVE).<sup>418</sup> There is a CVE Committee in the county, though it is not very active; while the County Commissioner has actively supported the committee and tried to encourage the interaction between the national government and community-based organizations such as SCORES, there is insufficient support from junior administrators.<sup>419</sup>

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<sup>410</sup> Interview, SCORES personnel, Isiolo Town, 12 May, 2017

<sup>411</sup> Interview, Ward Administrator, Isiolo Town, 9 May, 2017

<sup>412</sup> Interview, Peace Worker, Isiolo Town, 12 May, 2017

<sup>413</sup> Interview, SCORES personnel, Isiolo Town, 12 May, 2017

<sup>414</sup> FGD with chiefs, Isiolo Town, 9 May, 2017

<sup>415</sup> Interview, SCORES personnel, Isiolo Town, 12 May, 2017

<sup>416</sup> Interview, senior administrator, 9 May, 2018; Interview, SCORES personnel, Isiolo Town, 12 May, 2017

<sup>417</sup> Mkutu (2008)

<sup>418</sup> Interview, County Commissioner, Isiolo Town, 9 May, 2017

<sup>419</sup> Interview, SCORES personnel, Isiolo Town, 12 May, 2017

## ***Boda Boda Crime and Accidents***

*Boda bodas* (motorcycle taxis) are popular mode of transport in the county, with numbers rising from 100 in 2013 to an estimated 20,000 in 2017.<sup>420</sup> There is a change from traditional to modern livelihoods with parents (particularly Turkana and Borana) taking loans to buy motorbikes for their children;<sup>421</sup> while many youths aspire to own motorcycles and work in this industry.<sup>422</sup> According to a *boda boda* operator in Isiolo town, the average daily income on a good day is 1,200 KShs (approx. \$12 US), while on a bad day 500 Kshs (approx. \$6 US). This seemingly easy source of money has led to increased school dropout rates amongst the boys in the county. This could explain why the enrolment of girls in schools within the county is higher than that of the boys. Probably due to rapid growth, the sector lacks organization; the county government has not yet designated pick up and drop off zones (stages).<sup>423</sup> There is a Boda Boda Association in the county; however, there is no Savings and Credit Cooperative Society (SACCO) which public service vehicles should by law, be a member of.

*Boda bodas* have been linked to various crimes. They are used in stock theft,<sup>424</sup> and also in the trade in SALWs, near the Ameret, Isiolo and Ngare Mara forests to transport guns. On average the youths are paid between 5,000 – 10,000 KShs (approx. \$50-100 US), for transporting one gun. These are transported *inter alia* to Meru County where they exacerbate cattle rustling by the Meru against the Turkana. People in this business are vulnerable to attack, theft of motorbikes and murder, upon arrival, while at the same time, the small arms trade earns money to buy motorbikes.<sup>425</sup> Politicians have been accused of sourcing guns using CDF money, especially in the last 5 years.<sup>426</sup>

*Boda bodas* are also a major cause of road traffic accidents in the county.<sup>427</sup> Often, drivers are underage, i.e., between 14 and 17 years, and are not properly trained. The sector is not well regulated, though there are traffic laws that govern all forms of motorized transport, the *boda boda* riders are unaware or flout these laws. Some drivers may work under the influence of drugs or alcohol.<sup>428</sup> The following quote sums up these problems,

*Boda boda* riders are mostly underage and they are not trained. A majority are aged between 14-17 years. They are brothers and relatives. When they reach 17 they start chewing *miraa*, and drugs available from pharmacists. So the boys don't listen to their

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<sup>420</sup> Interview, Chair of Boda Boda Association, Isiolo Town, 12 May, 2017

<sup>421</sup> Interview, Administration Police Officer, 9 May, 2017

<sup>422</sup> Ibid.

<sup>423</sup> Interview, County Secretary, Isiolo Town, 8 May, 2017

<sup>424</sup> Interview, Ward Administrator, Isiolo Town, 9 May, 2017

<sup>425</sup> Interview, *boda boda* operator, Isiolo Town, 12 May, 2017

<sup>426</sup> Maranga (2017)

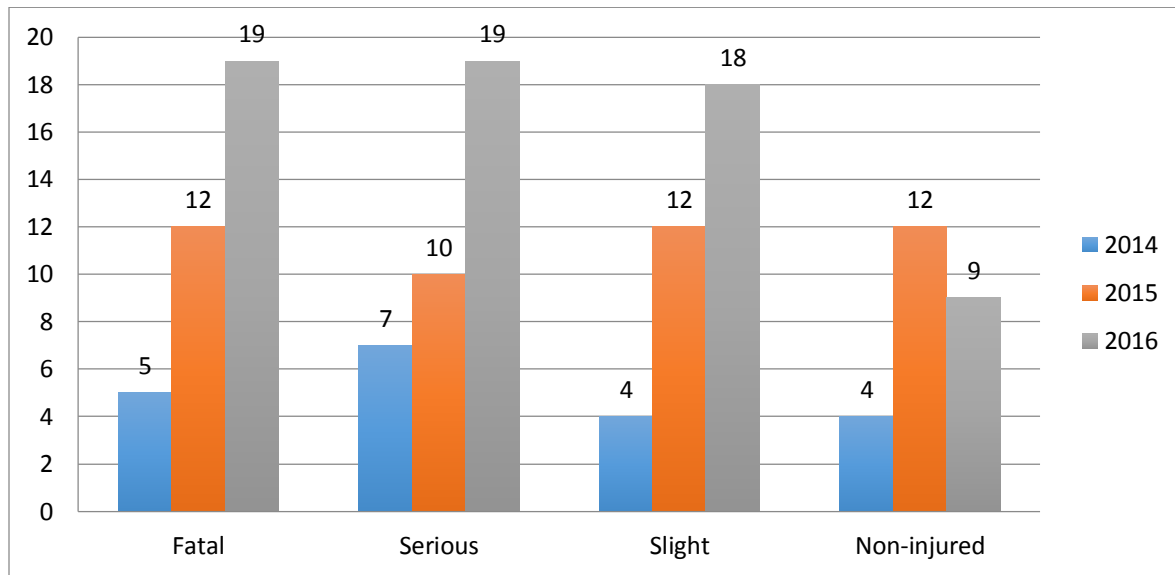
<sup>427</sup> Interview, County Secretary, 8 May, 2017; Interview, County Health Department personnel, Isiolo Town, May 9, 2017

<sup>428</sup> Interview, *boda boda* operator, Isiolo Town May 12, 2017; Interview, County Health Department personnel, 9 May, 2017

parents and elders. Two days ago, 3 boys who were riding on one *boda boda* were run over by an army truck. The bike was speeding and could not brake and they all died.<sup>429</sup>

Figure 21 (below) shows the road traffic accidents for all road users, recorded by police from 2014-2016. There appears to have been a dramatic increase over the time, although this may reflect better detection. Hospital data shown in Figure 22 (below) confirms that few cases actually reach the police.

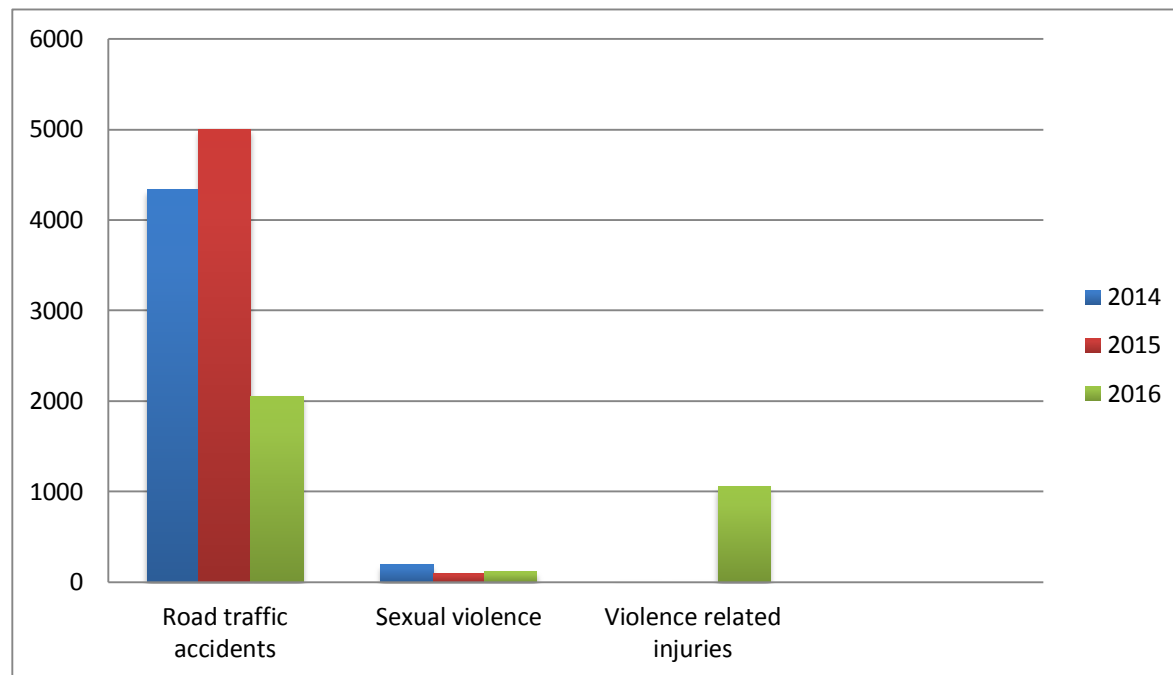
*Figure 21: Outcomes of road traffic accidents in Isiolo 2014-2016 (police records)*



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<sup>429</sup> Interview, Chair of Boda Boda Association (Mosque side), Isiolo Town, 12 May, 2017

Figure 22: Injuries due to road traffic accidents and other causes in Isiolo (hospital records)



*Boda boda* drivers have also been accused of having sexual relations with underage girls who they carry to school. This has led to teen pregnancies, and may be spreading HIV/AIDS and other sexually transmitted diseases (STDs) in the area.<sup>430</sup> *Boda bodas* are considered a status symbol and an easy source of money which attracts girls, and some drivers play loud music and offer free rides to girls for this purpose.

*Boda boda* operators are not only perpetrators of crime and violence, but are also victims of kidnap and murder. Women stated that four or five *boda boda* operators are kidnapped monthly in Ngare Mara, and their motorcycles stolen.<sup>431</sup> A Ward Administrator explained how in Burat, Bula Pesa Ward, with dwindling cattle numbers, stock theft is being replaced by other crimes including motorcycle theft.<sup>432</sup> Lastly, *boda bodas* have been linked to political violence in the county. They are normally hired by politicians to engage in acts of hooliganism and destruction of property.<sup>433</sup> In some instances, they are part of the politicians' campaign entourage.

### Sexual and Gender-Based Violence (SGBV) and Crime

Table 11 shows figures for SGBV in the former Eastern province from the Kenya Demographic and Health Survey (2014). Unfortunately county-specific data was not available. It finds that

<sup>430</sup> FGD with women, May 10, 2017

<sup>431</sup> Ibid.

<sup>432</sup> Interview, Ward Administrator, 9 May, 2017

<sup>433</sup> Interview, *boda boda* operator, Isiolo Town, May 12, 2017

physical violence against women is slightly higher than the national average, but sexual violence is slightly lower.

*Table 11: KDHS data on physical and sexual violence by partner/spouse.<sup>434</sup>*

	Physical violence		Sexual violence	
	Ever experienced	Last 12 months	Ever experienced	Last 12 months
Kenya	Women 44.8% Men 44.0%	Women 20.3% Men 11.1%	Women 14.1% Men 5.9%	Women 7.8% Men 2.3%
Eastern	Women 48.8% Men 41.6%	Women 20.8% Men 8.4%	Women 12.2% Men 4.9%	Women 6.7% Men 1.7%

Gender-based physical violence is normalized in Isiolo as in many patriarchal societies in Kenya. As a chief said, “When a man beats his wife, its discipline. They fight and finish in the house...You have a stick for cows, women and children!”<sup>435</sup> An assistant chief concurred, “GBV is not reported. Domestic violence is normal. Some we sort out, others we take to the Children’s Office. FGM is not an issue that can be sorted easily. It’s being done, but it’s gone down.”<sup>436</sup>

### *Prostitution*

Prostitution is classified as an offence against morality (public morals) under chapter 15 of the Kenyan Penal Code. An officer manning the gender desk at the police station asserted that there were no reported cases of prostitution in the county,<sup>437</sup> and police data concurs with this, however prostitution was said to be prevalent in the busy cosmopolitan Bulla Pesa area of Isiolo Town.<sup>438</sup>

### *Female Genital Mutilation (FGM)*

The World Health Organization (WHO) defines FGM as comprising ‘all procedures involving partial or total removal of the external female genitalia or other injury to female genital organs for non-medical reasons’. The practice is common amongst several ethnic groups in Kenya, and particularly in Isiolo among the Borana, Rendille, Samburu and Somali,<sup>439</sup> and has also spread to include some Turkana.<sup>440</sup> It remains entrenched, despite the Prohibition of Female Genital Mutilation Act (2011), and as such is not spoken about openly. Around 65% of Isiolo girls aged 15-19 report that they have been circumcised as compared to 12% nationally.<sup>441</sup> The practice

<sup>434</sup> KNBS (2014a); people aged 15-49 were surveyed

<sup>435</sup> FGD with chiefs, Isiolo Town, 9 May, 2017

<sup>436</sup> Interview, Assistant Chief, Duse, Kinna, 10 May, 2017

<sup>437</sup> Interview, Officer manning Gender Desk, Isiolo Town, 11 May, 2017

<sup>438</sup> Interview, Peace Worker, 12 May, 2017

<sup>439</sup> Njue and Askew (2004)

<sup>440</sup> Interview, secretary to the Chief, Ngare Mara, 10 May, 2017

<sup>441</sup> Ministry of Health (n.d.)

often occurs collectively during school holidays and can often precede early marriage. A refuge exists in the county for girls to escape from FGM, but chiefs noted that the issue is usually ignored by officials.<sup>442</sup> As other literature details, female circumcision may have complications of psychological trauma, bleeding, serious infection and death, and sometimes gynecological and obstetric complications in the future.<sup>443</sup> Less directly, the practice is also linked to female subjugation, early marriage, exposure to infection through marriage to older men, teen pregnancy and interference with schooling which have their own problems.

Oloo et al list the various “functions” of FGM: firstly as a rite of passage from girlhood to womanhood, following which she is considered mature, obedient and aware of her role in the family and society; secondly as a means of reducing the sexual desire of girls and women to keep them from straying.<sup>444</sup> Hamilton writes that their “bad” blood is “purified” and also mentions that the practice is considered to be beneficial in terms of hygiene.<sup>445</sup> According to a police officer manning the Gender Desk, a girl or woman who has not undergone circumcision is not considered marriageable. *Chebeni*, a child born outside marriage, is often killed.<sup>446</sup> A female participant during an Anti-FGM sensitization forum held in Loruko said that “uncircumcised Samburu women cannot be married by a Samburu...even after she gives birth her kids will never be married by a Samburu...she and her offspring will be outcasts, cursed... Moreover, girls who are not circumcised are not respected by their peers and the community members at large...any girl who goes against it loses her identity and belongingness as a Samburu woman...”<sup>447</sup>

Over time, education has lessened the grip of FGM, with some young men even refusing to marry circumcised girls.<sup>448</sup> There are several advocates against the practice, including the Anti-Female Genital Mutilation (FGM) Board, which embarked on a sensitization campaign in 2016 targeting police, chiefs, religious leaders and community based organizations (CBOs) in various parts of the country, including Isiolo County.<sup>449</sup>

### *Incest*

Although police reports do not reflect any cases of incest, an officer manning the Gender Desk at the Isiolo County Police Headquarters indicated that there have been cases which often go unreported.<sup>450</sup> These can occur in the context of divorce, where the children were either left in the father’s custody or some other male relative.<sup>451</sup>

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<sup>442</sup> FGD with chiefs, Isiolo Town, 9 May, 2017

<sup>443</sup> UNFPA 2017

<sup>444</sup> Oloo et al (2011)

<sup>445</sup> Hamilton (2017)

<sup>446</sup> Interview, Administration Police Officer, 10 May, 2017

<sup>447</sup> Quote from Inter-Religious Council of Kenya (2017)

<sup>448</sup> Interview, Chairman of Minorities, Interfaith Organization, Isiolo Town, 8 May, 2017

<sup>449</sup> KNA (2016)

<sup>450</sup> Interview, Officer manning the Gender Desk, 11 May, 2017

<sup>451</sup> Ibid.

### *Early Marriages and Beading*

UNICEF defines an early marriage, also referred to as a child marriage, as a formal marriage or informal union before age 18.<sup>452</sup> Under Kenyan law, the Children's Act (2001) in Section 2 defines early marriage as "marriage or cohabitation with a child or any arrangement made for such marriage or cohabitation." Though such marriages affect both boys and girls, it is the girls who are affected most. Child marriage is prevalent in Isiolo County, though it is rarely reported.<sup>453</sup> It was found to be very prevalent in Ngare Mara (a mainly Turkana area); "from around aged 15 she is regarded as a woman, and is married off even to an old man. [Brideprice] takes the form of cattle... not be less than 10."<sup>454</sup> Brideprice may be an incentive for families to marry off their daughters early.

Early marriages have resulted in early pregnancies and the spread of HIV/AIDS, which is prevalent in the area. Eight girls in Elmet Primary School in Ngare Mara dropped out of school in one month due to pregnancies.<sup>455</sup> The County Commissioner confirmed this and noted that some girls who had been given bursaries for secondary school, failed to take up the opportunity due to falling pregnant. However, increasingly there are efforts to help girls to resume their studies after delivering.<sup>456</sup> Early pregnancies resulting from consensual relationships between unmarried young people are also prevalent. Women said, "When a girl gets to class 6, she believes she has matured. By the time she gets to class 7, it is hard to control her. She either falls pregnant or contracts STDs." Often these cases go unreported, but if the boy's parents fail to compensate the girl's parents, the matter may be reported to the police.<sup>457</sup> The boy would be charged with either statutory rape or defilement in accordance with the Sexual Offences Act.<sup>458</sup>

HIV/AIDS is a major issue in Merti sub-county and also in Ngare Mara, where people were said to be avoiding testing, or were keeping the issue very hidden; women feared violence from their spouses and were taking their anti-retroviral drugs (ARVs) in secret.<sup>459</sup> Furthermore one respondent mentioned that women cannot afford condoms and they instead use plastic bags.<sup>460</sup> It should be noted that Section 24 of the HIV and AIDS Prevention and Control Act criminalizes the intentional or reckless transmission of the HIV virus by a person who is aware that he or she is infected with the virus to an unwitting victim. A person found guilty of committing such an act is liable to a fine not exceeding 500,000 KShs (approx. \$5,000 US), or to a prison term not

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<sup>452</sup> UNICEF (2013)

<sup>453</sup> Interview, County Commissioner, Isiolo Town, 9 May, 2017

<sup>454</sup> Interview, secretary to the Chief, Ngare Mara, 10 May, 2017

<sup>455</sup> Interview, Secretary, Interfaith Organization, 8 May, 2017

<sup>456</sup> FGD with women, Ngare Mara, 10 May, 2017

<sup>457</sup> Interview, Officer manning the Gender Desk, 11 May, 2017

<sup>458</sup> Ibid.

<sup>459</sup> FGD with women, Kinna, 9 May, 2017

<sup>460</sup> Interview, Organizing Secretary, Interfaith Organization, 8 May, 2017).

exceeding seven years or to both such fine and imprisonment. Most of the participants were not aware of this particular law.

Beading is a secretive and little known cultural practice closely intertwined with FGM and early marriages that is practiced solely by the Samburu community.<sup>461</sup> It is described thus:

*Morans* are allowed to have a temporary marital relationship with a very young girl from the same clan ... The *moran* buys red beads for the girl after getting the mandate from the family of the girl. The main objective of the beading is to prepare the young girl for marriage in the future. Since the *moran* and his beaded girl are relatives, and the girl is uncircumcised, both marriage and pregnancy are forbidden. In case of a pregnancy, the pregnancy has to be terminated through cruel abortion by elderly women. If the beaded girl gives birth, the child has to be killed through herbs poisoning, since the child is perceived to be an outcast. The lucky babies who survive are given out to other communities like the Turkana tribe. In addition to life threatening early pregnancies and abortions, the practice of beading exposes young girls to physical, mental and sexual violence. Most often the opinion of the girl does not matter, when the beading relationship is negotiated.

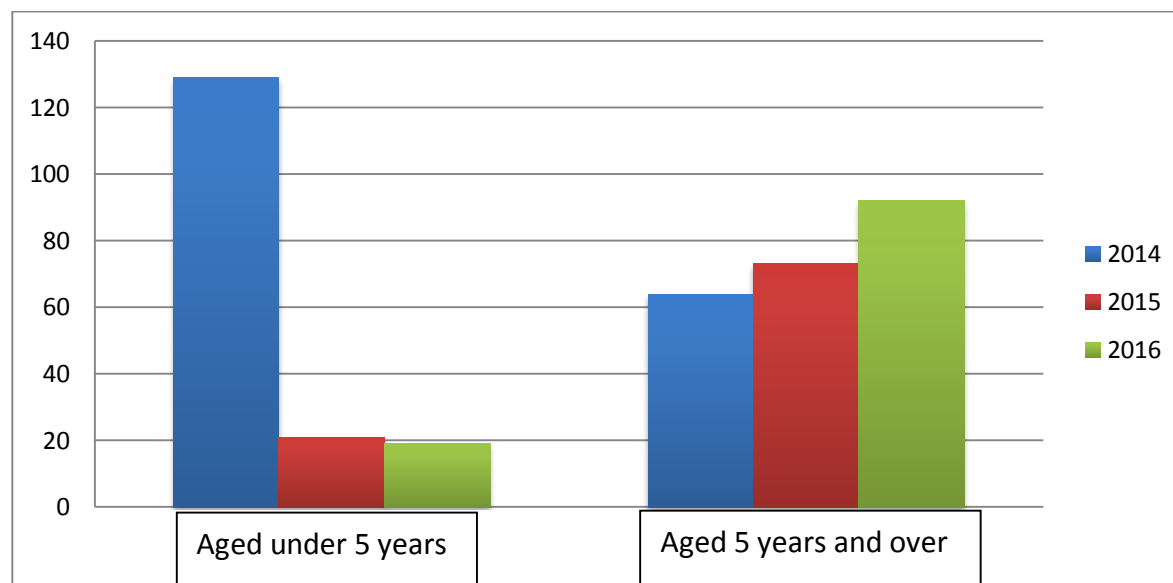
During the survey, it was quite difficult to get the participants to open up about FGM and early marriages let alone the beading practice and its link with infant murders. It would be important to have this matter researched further.

Hospital statistics may better reflect sexual violence than police statistics. Around 300 cases of sexual violence were recorded from 2014-2016 (see Figure 22 in previous section). Figure 23 (below) further explores the ages of those affected.

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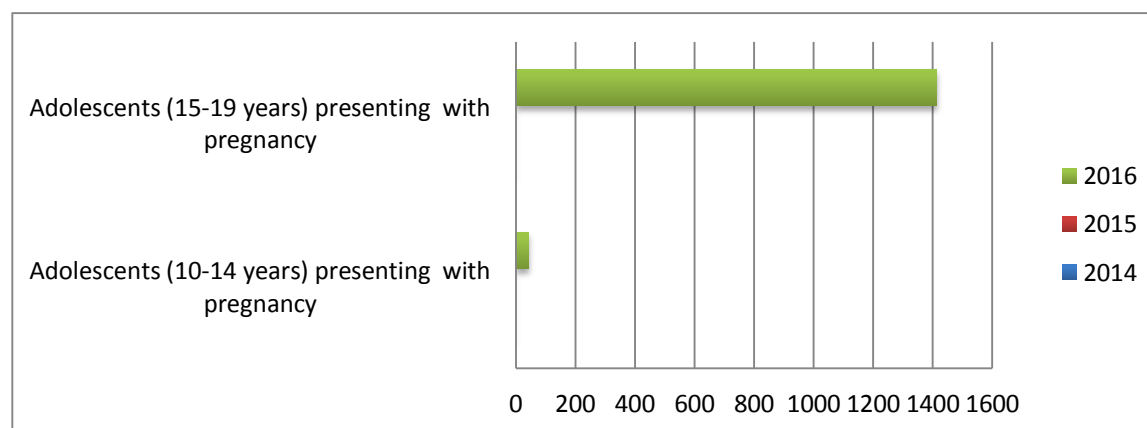
<sup>461</sup> Ahlstedt (2017)

Figure 23: Sexual and gender based violence by age in Isiolo County



The only data available for teenage pregnancies was that of 2016 (see figure 21). The statistics are rather worrying. There were 43 cases of girls aged between 10 and 14 and 1414 cases of girls aged between 15 and 19 who were pregnant. The considerably lower numbers of pregnancies amongst girls aged between 10 and 14 years could be attributed to government policies such as the banning of FGM through the Prohibition of Female Genital Mutilation Act and outlawing of early marriages through the Children's Act. It should be noted that Kenyan laws permit the marriage of girls aged between 16 and 17 years, however, with parental consent.

Figure 24: Teenage Pregnancies in Isiolo County in 2016 by age



## Drugs and Alcohol

Consumption of illicit brews is a major problem in Isiolo County, most commonly, *chang'aa* and similar substances sold in sachets and small bottles.<sup>462</sup> Police statistics reflect illicit brewing as a petty offence, and levels are very high. The problem had become so bad that Samburu elders had opted to curse *chang'aa* brewers and consumers to discourage its brewing, sale and consumption; 12,000 litres of illicit brew were impounded during a morning raid in Isiolo market almost a year later. This was said to have come from Shambani and Bulla Pesa areas, and Meru County.<sup>463</sup> A County Administrator concurred that Bulla Pesa in Isiolo town was a hotspot for brewing of both *chang'aa* and *maisha bora* ("better life" - another local brew), and that this may be contributing to rising crime in the area including prostitution, thefts and killings.<sup>464</sup> Bulla Pesa is a highly populated cosmopolitan area inhabited by Meru, Turkana, Luo and Kikuyu amongst others, in which the population is growing rapidly.<sup>465</sup> Ironically, many consumers are Muslims.<sup>466</sup> Similarly in Kinna, Garbatulla sub-county, *chang'aa* is said to be prevalent and has greatly affected the productivity of the youth. Some youths who attended the FGD were visibly drunk and smelled of alcohol, which was of concern, given that this was around mid-morning when youths should have been coming from meaningful work, either in the formal or informal sectors, yet they were in no state to work. They asked for money, which they would probably use to purchase more alcohol.

Several verses of the Qur'an categorically prohibit the consumption of alcohol,<sup>467</sup> and most counties that are predominantly Muslim, e.g., Garissa County, tend to prohibit the sale of alcohol, but the cosmopolitan nature of Isiolo County makes this more difficult. Ideally, the county government ought to provide a liquor license, however a bill facilitating the same is yet to be passed by the county assembly, partly because of a lack of capacity in drafting bills and partly because this would upset Muslims whose religious tenets do not permit them to drink.<sup>468</sup> Further, corruption and ill-equipped enforcement personnel have negatively affected the implementation of laws and policies in this area.<sup>469</sup> A number of respondents concurred that the officials were not keen on addressing the problem of alcohol (and drugs) in the county.

Apart from alcohol, the other substances commonly used in the county include *miraa* also known as *khat*, and *bhang* (marijuana), which are both grown locally in the Mount Kenya area.<sup>470</sup> Respondents noted that chewing of *miraa* is almost universal in Isiolo, "*Miraa* is very common, it's like tea. Even women chew *miraa*,"<sup>471</sup> and referring to the same, a peace worker said "Drugs

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<sup>462</sup> Interview, Assistant Chief, Duse, 10 May, 2017

<sup>463</sup> Jebet (2015a)

<sup>464</sup> Interview, County Administrator, Isiolo Town, 8 May, 2017; interview, Peace Worker, Isiolo Town, 12 May, 2017

<sup>465</sup> Interview, Ward Administrator, Isiolo Town, 9 May, 2017

<sup>466</sup> Interview, Peace Worker, Isiolo Town, 12 May, 2017

<sup>467</sup> Khan (2016)

<sup>468</sup> Interview, Deputy Governor, 8 May, 2017

<sup>469</sup> Lutta (2016)

<sup>470</sup> Kinoti et al (2011)

<sup>471</sup> Interview, Assistant Chief, Duse, 10 May, 2017

are a major problem, but you cannot see it. At 2pm you cannot take a *boda boda*, as most of the youths are on drugs.”<sup>472</sup> People also commented that county administrators were doing little to stop their use.<sup>473</sup> Its impacts in the county include idleness, irresponsibility, wastage of household resources, addiction and crime.<sup>474</sup> To illustrate, a *boda boda* operator in Isiolo town said that although the county had many possibilities, many offices in town close at 2pm so that people could go and chew *mira* until late in the evening.<sup>475</sup> Youths claimed that some of their colleagues engaged in malicious damage of property and arson when they were under the influence of drugs.<sup>476</sup>

The use of *bhang* is common in Isiolo County and is mostly sourced locally, though an apparently superior variety is coming from Ethiopia.<sup>477</sup> Cocaine use is less common.<sup>478</sup> The consumption of *bhang* by youths in the county has had some serious consequences. In June 2016, school property of unknown value was destroyed after students from St. Paul’s Kiwanjani Mixed Secondary School turned violent after smoking *bhang*.<sup>479</sup>

Drug trafficking is common in Isiolo County, which is en-route to Somalia.<sup>480</sup> *Mira* transporters have also been victims of bandit attacks as they transport the leaves and stems from Meru County to Moyale in Marsabit County and Mandera County.<sup>481</sup> There were no reported cases of drug trafficking from the police, and respondents claimed that it was being ignored by the county government also.<sup>482</sup>

Studies show that several risk factors account for drugs and alcohol use in Kenya.<sup>483</sup> Culture, unemployment, peer pressure, work related stress, marital problems, poverty, and media influence are some of the risk factors that have been associated with alcohol use.<sup>484</sup> Respondents concurred with these factors.<sup>485</sup> Kinoti et al, suggest that the cultural, political, economic, social, and religious transitions in Kenya from a traditional system to a modern life style could have contributed to lower self-esteem and vulnerability to drug and alcohol use;<sup>486</sup> this theory may also be applicable to Isiolo County, which may be regarded as county in transition. It is a concern that as Isiolo experiences the planned developments it is likely to become more cosmopolitan

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<sup>472</sup> Interview, Peace Worker, Isiolo Town, 12 May, 2017

<sup>473</sup> FGD with Peace Group, Kinna, 10 May, 2017

<sup>474</sup> Michuki & Kivuva (2013)

<sup>475</sup> Interview, Chair of Boda Boda Association, Isiolo Town, 12 May, 2017

<sup>476</sup> FGD with youths, Kinna, 10 May, 2017

<sup>477</sup> FGD with Peace Group, Kinna, 10 May, 2017; Interview, Assistant Chief, Duse, Kinna, 10 May, 2017

<sup>478</sup> FGD with Peace Group, Kinna, 10 May, 2017

<sup>479</sup> Nzioki (2017)

<sup>480</sup> Kumssa & Kiriti-Ng’ang’a (2016)

<sup>481</sup> Interview, Administration Police Officer, 10 May, 2017

<sup>482</sup> FGD with Peace Group, Kinna, 10 May 2017

<sup>483</sup> Kinoti et al (2011)

<sup>484</sup> NACADA (2010)

<sup>485</sup> FGD with youths, Kinna, 10 May, 2017; Interview, Peace Worker, 12 May, 2017

<sup>486</sup> Kinoti et al (2011)

and experience more changes and stresses, and the problem of drug and alcohol consumption is likely to escalate.

### ***Security Interventions***

Isiolo suffers from weak state apparatus including policing and judiciary, which is one of the enabling factors in the endemic conflicts since there is no deterrent effect, response or pacification.<sup>487</sup> The response by the police to cattle rustling, including tracking and recovery of stolen cattle is poor, and delayed.<sup>488</sup> This is partly because the police do not work at night, and raiders know this. Law enforcement agencies have difficulties physically operating in the arid lands' vast and harsh terrain and they receive little support from the local communities. The County Ward Administrators corroborated this assertion, saying that there was a reluctance by the police to work on the 'front line'; instead, this role is largely fulfilled by National Police Reservists (NPRs) (to be discussed).<sup>489</sup> Chiefs said,

We went to fight and we were 10, and the enemy bandits were 3, the police could not manage to defeat the 3. In another instance, we had 180 police who went to sort a raiding problem against 30 bandits, the 30 defeated us. The protectors of citizens are ineffective.<sup>490</sup>

Respondents in Kinna noted that there is no functional police station; buildings are complete, but officers are yet to be deployed.<sup>491</sup> They have been requesting the government to deploy police officers to their area for the last 10 years, because the ward which has a population of 30,000 people only has an Administration Police (AP) camp with 5 AP officers, and 3 NPRs, and is 50 miles from Garbatulla.

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<sup>487</sup> Chopra (2008)

<sup>488</sup> FGD with chiefs, Isiolo Town, 9 May, 2017

<sup>489</sup> FGD with Ward Administrators, Isiolo Town, 9 May, 2017

<sup>490</sup> FGD with chiefs, Isiolo Town, 9 May, 2017

<sup>491</sup> FGD with Peace Group, Kinna, 9 May, 2017

*Figures 25 and 26: An old broken-down Land Rover is used as a temporary police holding cell at Kinna AP post. In the background are the huts which function as accommodation for the APs; they are hot and cramped.*



Changes in the structure of the police since devolution have brought challenges to security. AP officers and NPRs had previously been mobilized by the provincial administration, namely the chiefs,<sup>492</sup> but under the new dispensation they are merged with the regular police (Kenya Police) in the National Police Service. This means that chiefs no longer have the security mandate, which severely hampers the security response in remote areas.<sup>493</sup> Chiefs claimed that when they could deploy people with arms and work together with NPRs they were successful in repelling raiders. A County Government official lamented the lack of collaboration between county and national governments on security issues, feeling that the former have a role to play but had been “locked out.” He noted that the county government sometimes fueled the vehicles in case of security emergencies and that whenever the police harassed the residents, the residents turned to the county government.<sup>494</sup>

### **National Police Reserve (NPRs)**

The National Police Reserve (NPR) is an armed auxiliary volunteer force whose role is to work under the National Police Service to protect their own communities (National Police Service Act 2011, Section 110). They often guard their own pastoralist cattle *kraals* (enclosures) and move with cattle caravans to protect them against raids by other pastoral groups, they are used by the national government to boost police services in remote areas and are often the main security on national borders. In 2016, the County Commissioner for Isiolo announced that the national government would recruit 500 NPRs, prioritizing those who had registered their illegal arms.<sup>495</sup>

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<sup>492</sup> FGD with chiefs, Isiolo Town, 9 May, 2017

<sup>493</sup> Ibid.

<sup>494</sup> Interview, county government official, name withheld, Isiolo Town, May 2017

<sup>495</sup> Daily Nation (2012)

There are mixed feelings about NPR, generally they are appreciated by communities, as the first and best responders, familiar with the geography and conditions in the areas they serve. The chiefs quoted above went on to say,

The guns that protect citizens are the illegal guns. The police employed do not want to die. It's only the [traditional] security who are ready to die for cows.<sup>496</sup>

However they are often accused of unprofessional behavior, owing to deficiencies in training, and overriding livelihood needs; this may result in raiding and banditry with the use of government arms. NPRs have also at times been controlled by politicians and private entities, and have been diverted into involvement in ethnicized conflict. The creation of NPRs in Isiolo is said to entrench ethnic rivalries and create a kind of legal arms race between communities; the Isiolo county residents feel that Samburu county have been given more legal arms (to NPRs) which they use for aggression against them.<sup>497</sup>

### **Conservancy and Wildlife Security**

Locals felt that security agencies in the region were ill equipped to handle security issues that arose, while the NPRs on the ground were well resourced by the NRT. Conservancies in Isiolo are also currently waiting for the use of drones to be regularized.<sup>498</sup> The association of conservancies with security has resulted in other communities clamoring for conservancies to be set up in their areas. The Meru are demanding for conservancies, because the Isiolo people have some. Some of the participants in the survey even suggested that each community should own a conservancy. Conservancies were therefore increasingly being seen as a security solution in the area, one which raises questions about the potential for ethnicization and security governance since the state is in essence ceding it's authority to non-state entities.

A major conflict in Kom (Chari Ward, Merti sub-county) was linked to the presence of the conservancy.<sup>499</sup> Kom is divided into three zones: the Biliqo-Bulesa conservancy where the elephants breed, the grazing zone and the buffer zone controlled by elders. The conservancy, which has received a three-year funding from the United States Agency for International Development (USAID), has employed 20 armed scouts (National Police Reservists (NPRs)) and a manager. The NPRs are community members issued with a government weapon and have been free to work as conservancy scouts in recent years. However, being local residents they have their own ethnic loyalties and on this occasion the conflict became ethnicized.<sup>500</sup> Thus donor funding is inadvertently channeled into inter-communal conflict. Data sourced from various interviews indicate that the local communities perceive the tribal nature of conservancies very strongly. Ward administrators gave their opinion that the major problem besieging the conservancies is

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<sup>496</sup> FGD with chiefs, Isiolo Town, 9 May, 2017

<sup>497</sup> Interview, administrator, name withheld, 7 May 2017

<sup>498</sup> Interview, County Commissioner, Isiolo Town, 9 May, 2017

<sup>499</sup> Interview, Ward Administrator for Chari, 9 May, 2017; interview, Conservancy staff member, , 10 May, 2017

<sup>500</sup> Interview, Conservancy staff member, 10 May, 2017

personal/vested interests. They faulted the management structure of the conservancies, saying that the 15 member board had inadequate influence over decisions. Decisions were more likely to be taken by the manager of the conservancy who was a Samburu, employed by NRT, resulting in decisions that favor the Samburu over the Borana. The Samburu had taken advantage of the situation and used the conservancy as a grazing area.<sup>501</sup> During the Kom conflict described, it was alleged that planes from Lewa Wildlife Conservancy came to assist the Samburu. The perception of bias on the part of the NRT could also be attributed to the fact that while conservancies are relatively new in Isiolo County, they came earlier in Samburu County, and the Samburu therefore have more experience in running them.

Ward administrators described how the relationship between Kenya Wildlife Service (KWS) and its rangers, and community members in Kinna who live alongside Meru National Park had deteriorated. On the one hand there had been incidences of poaching by community members, while on the other hand rangers had been accused of extra-judicial killings of community members. 11 people are said to have “disappeared” in this way. In one incident, 3 people were accosted and killed by rangers as they travelled to Duse market. The killing resulted in a demonstration by the community, and further violence by the rangers who killed another person and injured 14. Compensation has been paid by KWS after peace-building efforts by the national government, politicians and Kenya Human Rights Commission.<sup>502</sup> Tension still simmers between the two groups, as evidenced by the KWS’ refusal to respond to new human-wildlife conflicts in which elephants are invading homesteads injuring people and destroying property.<sup>503</sup>

### **Community Policing**

NPRs previously mentioned may be seen as a kind of community policing in rural areas. Regarding Nyumba Kumi, the recently launched 10 house model for community policing, so far there is limited progress on the ground. Some places have created the structures and selected local chairs but little else is happening.

### **Countering Violent Extremism**

The Anti-Terrorism Police Unit (ATPU) was established to deal with terrorism and other related offences, and opened a branch in Isiolo town in July 2016. Although the unit has made progress in addressing radicalization and recruitment, it has faced criticism for arbitrary arrests of youths, and allegedly for demanding sums of 200,000–300,000 KShs (approx. \$2-3000 US), for their release. Furthermore, parents of youths who have travelled to Somalia have also been detained and treated inhumanely.<sup>504</sup> Many people expressed that they would rather not report suspected terrorists or recruiters to the police, because of the manner in which they are handled. Sometimes the one reports is treated as a suspect and is arrested. This has at times included the

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<sup>501</sup> FGD with Ward Administrators, Isiolo Town, 9 May, 2017

<sup>502</sup> Interview, Ward Administrator, Isiolo Town, 9 May, 2017

<sup>503</sup> Interview, County Secretary for Tourism, Isiolo Town, 10 May, 2017

<sup>504</sup> Interview County Administrator, Isiolo Town, 7 May, 2017

already devastated parents who came to report the disappearance of their child.<sup>505</sup> In other instances, security agencies are guilty of ethnic and religious profiling, targeting Muslims and those who were perceived to be of Somali-origin.<sup>506</sup> As has been described in previous sections, the breakdown in trust severely hampers the gathering of intelligence.

One informant suggested that recruiters are known by some security personnel, “The security agencies knew the people radicalizing and taking the children to Somalia; the employees of government are aware of what is happening, since they are given a lot of money.” He went on to describe how there were sympathizers within the security who intimidate those who report violent extremist activities.<sup>507</sup>

The counter terrorism effort is further hampered by the lack of willingness by the national government to coordinate with the county government;<sup>508</sup> although the national government enjoys exclusive mandate on security matters, some of the county government activities and policies impact on the drivers of security and insecurity as noted previously. The problem is further compounded by the fact that there is no policy on countering violent extremism (CVE).<sup>509</sup>

One concern is that some people have resorted to using false accusations of terrorism to settle personal scores, by giving false reports to the police.<sup>510</sup> Several examples of this were given; a woman falsely reported to the police that her husband was a member of Al Shabaab following a domestic argument, and a taxi driver who had been denied access to a hospital hired two boys to assist him gain entry. The matter was reported to the ATPU who tried to arrest the two boys who were regarded as suspected terrorists.

### ***Crime and Violence Prevention Activities***

This section describes actors and institutions/organizations relevant to crime and violence prevention, peace and cohesion in Isiolo, and specific crime and violence issues for which there are various interventions by various actors. In the questionnaire, people were asked about a wide range of institutions responsible for addressing crime and violence (see Figure 27) both reactively and preventatively. Most people saw the importance of both formal and informal institutions, with elders, mosques and family scoring the highest in terms of importance in addressing crime and violence.

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<sup>505</sup> Interview, sub-county administrator, Isiolo Town, May 7, 2017

<sup>506</sup> Interview, SCORES personnel, Isiolo Town, 12 May, 2017

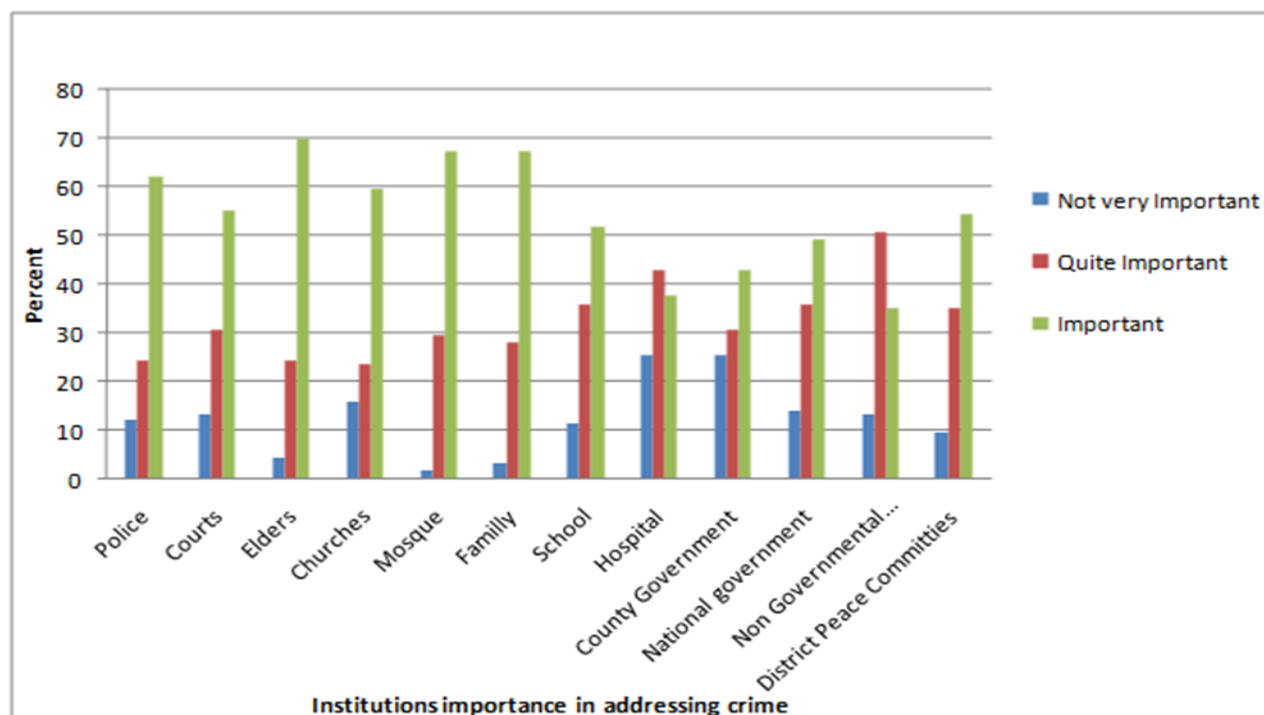
<sup>507</sup> Interview, a Muslim respondent, name withheld, May 2017.

<sup>508</sup> Interview, senior county administrator, name withheld, May 2017

<sup>509</sup> Interview, a Muslim respondent, name withheld, May 2017.

<sup>510</sup> Ibid.

Figure 27: Importance of various institutions in addressing crime and violence



Further around half of respondents felt that there was no coordination between local, county and national agencies when addressing crime and violence in Isiolo County, only 16% felt that there is coordination. The responses were the same with regards to coordination of peace building initiatives.

### Addressing Marginalization, Development and Employment

The county has been one of the 14 beneficiaries of the Equalization Fund for 2018-2019 (Article 204 (1) of the 2010 Kenyan Constitution) to be used by the national government “to provide basic services including water, roads, health facilities and electricity to marginalised areas to the extent necessary to bring the quality of those services in those areas to the level generally enjoyed by the rest of the nation, so far as possible.”<sup>511</sup> The criteria used to identify deserving counties include historical marginalisation and access to basic amenities. In addition to the equalisation fund, the government established the Isiolo County Climate Change Fund (ICCCF) in 2013. The ICCCF seeks to build climate resilience of vulnerable communities at the ecosystem level and is managed by committees operating at the County and Wards levels.<sup>512</sup>

<sup>511</sup> Kiplagat (2017)

<sup>512</sup> Nyangena et al (2017)

Several strategies have been suggested to address the risk factors associated with crime and violence in the county and build resilience amongst the residents.<sup>513</sup> These strategies include: improving infrastructure, especially roads, communication, among others; creating markets for agricultural products, especially livestock products; improving access to schools and hospitals; tackling the issue of corruption; improving the management of the Uwezo Fund, the Women Enterprise Fund and Youth Development Fund.

There is a recognition by the county government that youths need employment and skills and that this may help them to avoid being pulled into terrorism and other crimes. As Isiolo develops, youths also require assistance with skills development and literacy, so that they are not further displaced and disenfranchised. A survey conducted by the National Council for Population and Development (NCPD) in 2015 identified some of the economic activities which youth in the county were engaged in (see Table 12). Some of the proposed interventions have been adopted by both the national and county governments (see Table 13).

*Table 12: Economic activities youth engage in and challenges encountered<sup>514</sup>*

Main economic activities	Challenges encountered	How to address the challenges encountered
<b>Business</b> <b>Boda boda</b> <b>Livestock buying and selling</b> <b>Casual labourers</b>	Lack of capital Poor roads infrastructure Motor cycle accidents Poor pay and exploitation Insecurity	Provision of loans Provide irrigation water Improve security

*Table 13: Intervention and programmes addressing youth unemployment<sup>515</sup>*

Main economic Activities	Challenges encountered	How to address the challenges encountered
<b>Uwezo Fund</b> <b>Youth Economic Development Fund</b> <b>National Youth Service</b> <b>Women's Economic Fund</b>	Lack of awareness on programmes Programme requirements Loan repayment Corruption	Sensitization on the interventions Ease of access to funds

<sup>513</sup> Kumssa and Kiriti-Ngángá (2016)

<sup>514</sup> NCPD (2017)

<sup>515</sup> Ibid

## Alternative Dispute Resolution (ADR)

Modern justice mechanisms are often very difficult for rural-dwelling or poor people to access and engage with, due to technicalities, complex procedures, high costs and delays,<sup>516</sup> and often they rely on local or indigenous mechanisms for conflict resolution and justice. There is provision in the Constitution for these mechanisms provided that they “do not contravene the bill of rights, they are not repugnant to justice and morality and are not inconsistent with the constitution and other written law.”

There is a single magistrate’s court in Isiolo Town<sup>517</sup> and High Court stations in Meru and Nyeri Counties though a High Court is under construction in Isiolo also.<sup>518</sup> Hence, communities in Northern Kenya, including Isiolo County, have for a long period of time and with varying success, used alternative dispute resolution (ADR) mechanisms to deal with conflicts, crime and violence in the region.<sup>519</sup> An Alternative Dispute Resolution (ADR) pilot project was launched in Isiolo County in 2013 to formalize and support this. It was envisaged that this would reduce the backlog in the courts and make justice more accessible to rural dwelling.<sup>520</sup> Councils of Elders in Isiolo County have been restructured and elders trained on mediation and dispute resolution and the project seems to have been effective in its aims.<sup>521</sup>

Locals often have a negative attitude towards the formal justice system; they perceive the officers posted to the region as “either incompetent or indolent (having been transferred to these areas on disciplinary grounds).”<sup>522</sup> The failure of the formal justice system to prosecute those responsible for inter-communal violence has further eroded the local’s confidence in it.<sup>523</sup> ADR has the benefit of being flexible and timely and often having increased legitimacy in the eyes of local people. The mechanisms are conciliatory and take into account the needs of the entire community or communities involved and often focus on reconciliation, as anyone found guilty will almost always continue to live in the community.<sup>524</sup> The punishments often include fines or other reparative mechanisms rather than retributive violence or exclusion from the community. Those adjudicating the cases have similar values, religion and beliefs as those before them and base decisions in ways that make sense to all concerned.<sup>525</sup> Often, elders approach the court and request the withdrawal of a case arguing that solving a particular case is their responsibility and believing that their own solutions are likely to be more acceptable to the community.<sup>526</sup>

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<sup>516</sup> Muigua and Kariuki, (n.d.)

<sup>517</sup> See [judiciary.go.ke](http://judiciary.go.ke)

<sup>518</sup> Ndung’u and Wepundi (2017)

<sup>519</sup> CRECO (2012)

<sup>520</sup> Mamo and Nduro (2013)

<sup>521</sup> Interview, secretary to the Chief, Ngare Mara, 10 May, 2017

<sup>522</sup> CRECO (2012)

<sup>523</sup> Ibid.

<sup>524</sup> Kariuki (n.d.)

<sup>525</sup> Forber (2009)

<sup>526</sup> Chopra (2008)

However, ADR does have its shortcomings. It is based on customary law in often patriarchal societies where women and youth may be discriminated against.<sup>527</sup> The County Commissioner noted that defilement and rape were some of the serious offences that were prevalent, which were managed quietly by elders through ADR.<sup>528</sup> Either the human rights of the victim or the offender may be violated,<sup>529</sup> e.g., forced marriages in rape cases. Women noted that they are often aggrieved by the decisions of the elders; however, they feel that they have no choice but to accept these decisions.<sup>530</sup> Often there is either no right of appeal against the decisions of elders, or it is not widely known about. Additionally, appealing against the decision of elders jeopardizes one's interests and their family may be penalized for undermining an elder's authority.<sup>531</sup> ADR is not always suitable for more serious criminal cases, though people may try to rely on it. ADR may also be challenged by the different norms amongst the different communities in Isiolo. Attempts have been made by local actors and NGOs to bridge this gap through the development of 'peace committees' which can meet across county or ethnic boundaries to negotiate solutions to conflict.<sup>532</sup> Khadis' courts are also in operation and deal with determination of questions of Muslim law.<sup>533</sup>

## Peace Initiatives

The former District Peace Committees (DPCs) are still in existence but are now in limbo under the new dispensation having lost its direct funding from the national government. There were claims that the county government had refused to fund the DPCs arguing that it was the responsibility of the national government.<sup>534</sup> DPCs which were under the National Steering Committee on Peace Building and Conflict Management had an important role to play in the past as Cox (2015) describes. They were instrumental in monitoring the conflict and providing an early-warning mechanism for the Borana-Somali conflict from 1996-2002. However in the later conflict between the Borana-Somali alliance against the Samburu-Turkana alliance, the DPC became itself politicised, and DPC leaders were influenced to share information with politicians which was used to their advantage.<sup>535</sup> Other actors included the National Cohesion and Integration Commission, National Drought Management Authority and civil society actors.

The Modogashe Declaration of April 2001 resulted from a meeting organized between the peace committees, district security committees, and other formal and informal stakeholders of the

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<sup>527</sup> Jutting & Morrison (2005); Chiongson, et al (2011)

<sup>528</sup> Interview, County Commissioner, Isiolo Town, 9 May, 2017

<sup>529</sup> Forber (2009)

<sup>530</sup> FGD with women, Kinna, 10 May, 2017

<sup>531</sup> Forber (2009)

<sup>532</sup> Chopra (2008)

<sup>533</sup> Constitution of Kenya, Chapter 10, Part 3, Section 170 Kadhi's Courts. See <http://www.klrc.go.ke/index.php/constitution-of-kenya/136-chapter-ten-judiciary/part-3-subordinate-courts/339-170-kadhis-courts> Accessed 25 October, 2017

<sup>534</sup> Interview, UN Peace Worker, Isiolo Town, 7 May, 2017

<sup>535</sup> Cox (2015)

Isiolo, Marsabit, Wajir and Garissa counties following an intense period of conflict.<sup>536</sup> The Declaration outlined the general challenges faced by communities in the area, such as cattle rustling, disputed use of pasture and water sources, and the trafficking of illegal firearms, and spelled out ground rules aimed at tackling them. It determined that all unauthorized grazers had to seek prior consent from elders and chiefs if they wished to migrate to a different area; that such grazers were not allowed to enter strange grazing areas with their firearms; and that they had to return to their home county at the end of a drought.<sup>537</sup> Cox also describes how elders and other community members drawn from all major communities mitigated the political drivers of the conflict through process of “negotiated democracy” in which political candidates were chosen and anointed by elders. This was effective in bringing an end to the clashes.<sup>538</sup>

However, although the Modogashe Declaration was supposed to apply to all pastoralists, its enforcement was problematic.<sup>539</sup> In May 2005, the declaration was reviewed and a revised Modogashe Declaration officially known as the Garissa Declaration was drafted, which was signed by the counties of Isiolo, Garissa, Marsabit, Samburu, Meru, Tana River, Mandera, and Wajir which gave more explicit guidance on the mechanism of payment for using land normally claimed by another group.<sup>540</sup>

### **Rangeland Management**

The Borana have a very prominent traditional system of governance, the *Gada* system of power succession that assumes military, economic, political, and ritual responsibilities,<sup>541</sup> and serves as a mechanism for enforcing moral conduct, building social cohesion, and expressing forms of community culture.<sup>542</sup> It is a viable social-political system of government where leaders are elected to position of authority through the will and active participation of the people they represent.<sup>543</sup> Kom is managed by the Borana through the *Gada* system, and herders must seek permission from the *Gada* before they are allowed to graze in the area.<sup>544</sup> The terms upon which the herders will be allowed to graze are often negotiated and agreed upon by both parties, however, some herders (especially non-Borana) do not abide by the terms of the agreement, e.g., they exceed the number of livestock agreed upon, and stay longer than the time agreed upon, etc.<sup>545</sup>

Better representation of local communities in conservancy management is needed, and more information-sharing if they are not to suspect conservation as a smokescreen for land-grabbing.

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<sup>536</sup> Chopra (2009)

<sup>537</sup> Ibid.

<sup>538</sup> Cox (2015)

<sup>539</sup> Interview, Ward Administrator for Kinna, Isiolo Town, 9 May, 2017

<sup>540</sup> Chopra (2009)

<sup>541</sup> Legesse (1973)

<sup>542</sup> UNESCO (2016)

<sup>543</sup> FAO (n.d.)

<sup>544</sup> FGD with Ward Administrators, 9 May, 2017

<sup>545</sup> Ibid.

Existing community expertise in rangeland management needs to be harnessed and communities supported by counties. This is particularly important to the Borana who have an effective management system, the *Gada* system. It would be prudent to strengthen and support the *Gada* system rather than introduce a new rangeland management system that the locals are opposed to.

### **Measures to Address Radicalization**

According to Finn et al, “-power and grassroots community initiatives, especially those that involve Muslim women and mothers, have the greatest potential to produce tangible results for the reduction of radicalization to violent extremism in Kenya.” Soft-power approaches can be used to counter the narratives of extremist groups, and also ‘mitigate the ‘push’ and ‘pull’ (or structural, individual incentive-based, and enabling) factors that render disenfranchised youth vulnerable to violent extremism/radicalisation.<sup>546</sup>

The Deputy Governor underscored the need to adopt a community-based approach to counter radicalisation in the region.<sup>547</sup> He noted that religious leaders and the Parents Teachers Association (PTAs) were speaking to both male and female students in schools within the county in collaboration with the Office of the President. However, he was concerned that there was no coherent policy within the county to address radicalisation. The Isiolo County Commissioner acknowledged that religious leaders were working together with the police and his office, which has led to the reduction in centres of radicalisation.<sup>548</sup>

Community based organisations such as SCORES and the Interfaith Organisation play a vital role in CVE. SCORES has launched the school program which ensures that only vetted sheikhs preach to the students; provides a forum for the youth to talk about radicalisation; and builds cohesion amongst the various faiths.<sup>549</sup> The Interfaith Network is another civil society organization actively involved in countering violent extremism; elders from different communities and faith provide a counter narrative to minimise the effects of radicalisation or to help with de-radicalisation. They meet university students and discuss violent extremism and how to counter it.<sup>550</sup> SCORES also determined that street children had been targeted for radicalisation and was reaching out to them, at the same time recognizing the children were conduits of valuable information radicalisation in the county.<sup>551</sup> Religious organisations such as churches and mosques have also set up systems to bring the youth together. They have well-established groups such as ‘Youths for Faith’ and ‘Women for Faith’. These groups cater to the needs, especially spiritual, of the youth and women.<sup>552</sup> Lastly, some organisations such as SCORES are members of the Countering

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<sup>546</sup> Finn et al. (2016)

<sup>547</sup> Interview, Deputy Governor, Isiolo Town, 8 May, 2017

<sup>548</sup> Interview, County Commissioner, Isiolo Town, 9 May, 2017

<sup>549</sup> Interview, SCORES personnel, Isiolo Town, 12 May, 2017

<sup>550</sup> Interview, Chair of Interfaith organization, Isiolo Town, 8 May, 2017

<sup>551</sup> Interview, SCORES personnel, Isiolo Town, 12 May, 2017

<sup>552</sup> Interview, Chair of Interfaith organization, Isiolo Town, 8 May, 2017

Violent Extremism (CVE) Committee, though the committee is not very active. At the time of the survey, they had met only twice.<sup>553</sup>

## Other Activities

There are several community-based organizations (CBOs), such as the Interfaith Organization, that work closely with the County Commissioner for Isiolo, elders, religious groups, business people, women's groups and the youth. There are several local and international non-governmental organizations distributed throughout the County, which are involved in various activities such as education, health, HIV and AIDS, children's rights, livestock keeping among others. Some of the main NGOs include Action Aid, Mid-P, Action against Hunger (ACF), KRCS, African Muslim Agency, Alfalah, Catholic Development Office, UNICEF, World Vision, Food for the Hungry (FH) and CCK. There are 28 cooperative societies in the county, 60 active women self-help groups, 345 community-based organizations and 280 youth groups registered and operating in the county.<sup>554</sup> Some of the sources of grants are government revolving loan fund schemes such as Women Enterprise Fund (WEF), Youth Enterprise Development Fund (YEDF), Poverty Eradication Commission (PEC) Revolving Loan Fund (RLF), among others. Most groups engage in multi-sectoral activities ranging from HIV & AIDS related activities, health, education, savings mobilization, among others.

There is in fighting amongst some civil society organizations, such as Peace Link and the Catholic Justice and Peace Commission (CJPC).<sup>555</sup> The National Cohesion and Integration Commission (NCIC) and the United Nations Development Program (UNDP) formed the Isiolo Triangle Community Peace and Dialogue Forum, which includes Isiolo, Marsabit, Garissa, Samburu, and Laikipia. The dialogue forum focused on preventing and mitigating inter-communal violence amongst the different ethnicities (UNDP, 2017). The forum focused on electoral violence and is based in Nairobi.<sup>556</sup>

Organizations involved in conflict mitigation include Isiolo Peace Triangle, which was established by National Cohesion and Integration Commission (NCIC) and the United Nations Development Program (UNDP) which addresses inter-communal violence in in five counties, i.e., Isiolo, Marsabit, Garissa, Samburu and Laikipia. The Frontier Counties Development Council (FCDC) is a company limited by guarantee established in 2016 to accelerate the socio-economic development of the member counties, increasing its trade, tourism and investments, encouraging private enterprise, and advancing efforts towards peace and development. The member counties include, Garissa, Isiolo, Lamu, Mandera, Marsabit, Tana River and Wajir.<sup>557</sup>

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<sup>553</sup> Interview, SCORES personnel, Isiolo Town, 12 May, 2017

<sup>554</sup> Isiolo County (2013)

<sup>555</sup> Interview, Peace Worker, 8 May, 2017

<sup>556</sup> Ibid.

<sup>557</sup> See [fcdc.or.ke](http://fcdc.or.ke)

Most of the participants in the survey did not seem to be aware of the existence of the FCDC. A recent study found it to be weak at present.<sup>558</sup>

## Conclusion

Mombasa is a vibrant county in a strategic location, with great resource both natural and human, and great economic potential. However, the survey on Mombasa reveals important crime and violence challenges which threaten security, stability and sustainable development of the county and indeed the entire country. A picture has been revealed of a county with a troubled history of conquest and subjugation, and with ongoing marginalization of the indigenous population, in terms of land, education and rights of citizenship. These have been important factors in contributing to the current severe challenges of youth unemployment, a burgeoning *boda boda* industry with all its associated dangers, petty crime and gang crime, into which many children are drawn at a very tender age. Marginalization and land grievances also feed into radicalization narratives and recruitment into both the secessionist organization Mombasa Republican Council and Al Shabaab. At the same time Mombasa's strategic geographical position on the coast as East Africa's primary port also brings a particular vulnerability to crimes of smuggling, especially drugs, and people, who sometimes become part of a shady sex industry.

Isiolo is again a strategically located county in the centre of Kenya, and is in transition, shedding its marginalised past and embracing a future in which it is at the epicentre of development. This has greatly influenced the county's politics, economy and demographics and has already placed enormous stress on local conflict management mechanisms in northern Kenya's most cosmopolitan county, earning it a reputation as "Kenya's boomtown powder keg".<sup>559</sup> Sources of conflict include: communal claims on natural resources; control of county revenues, jobs, and contracts; urban land disputes; rural land grabs; contested county borders; impacts of development projects on local livelihoods; highly uneven distribution of benefits from new development; business rivalries; the influx of migrants from other regions; and the possibility of sectarian violence and violent extremism.<sup>560</sup> These new sources of conflict are often likely to manifest in the form of traditional cattle rustling and inter-communal violence, which if not well addressed may prove to be the bane of the county. Only time will tell whether this pessimism is justified. In addition to conflicts, other forms of crime and violence included radicalization, proliferation of SALWs, gender-based violence, female genital mutilation, early marriages and petty crimes.

## Risk Factors

Risk factors, or drivers of crime and violence are many, and are important to identify because this assists in creating strategies for prevention, some of which are considered below. Some risk

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<sup>558</sup> Mkutu and Boru (2018)

<sup>559</sup> Menkhaus (2015)

<sup>560</sup> Ibid.

factors are cross-cutting and may drive a number of crimes and forms of violence while some are specific. Moreover, while some risk factors are longstanding and challenging to address (and a comprehensive discussion on how to address development challenges is impossible here) it may be possible to identify potential areas for intervention that are within reach and could bring tangible benefits in the short to medium term.

In Mombasa, major cross-cutting drivers included marginalization and land injustices, poverty and unemployment, low education and broken families. In Isiolo, resource-based conflict and ethno-political rivalries played an important role, while land competition, and low education levels leading to exclusion of locals from benefits as a result of new developments is likely to drive crime and violence in the future. Cultural factors were also identified as important in driving violent raiding and FGM, though culture can work both ways, (as will be discussed).

Both Isiolo and Mombasa share problems of land conflict, and deprivation of land rights. In the Mombasa case this is a historical problem which is complex and difficult to reverse. However, Isiolo has the potential to avoid some of the problems associated with deprivation of land rights of indigenous communities, ahead of development in the county. Even in the absence of land registration under the Community Land Act there are laws and frameworks for the protection of community land under the trusteeship of the County Government.

Regarding education, the National Government has made an effort to improve school attendance through a number of initiatives in Isiolo County. Devolution now offers the chance to give youths a reason to stay in school through the building of further education institutions which give them options for the future, and plans for such are outlined in the County Integrated Development Plan.<sup>561</sup> Also, the issue of ID cards was mentioned as a major obstacle to women's empowerment in Mombasa and this is a basic provision which could contribute to reducing crime and violence. The use of drugs and alcohol were noted to increase the risk for crime and violence in both counties, and to exacerbate poverty and idleness of youths. In Mombasa the problem was particularly severe with abuse of hard drugs and also medicinal drugs by youths and gangs who steal in order to buy drugs. This is enabled by the port, and driven by a lucrative international trade and Kenyan elites, and is therefore very difficult to address. Further the sale of drugs and alcohol are also a livelihood strategy for many, and officials and police sometimes benefit from the trade. The County is awaiting the completion of a rehabilitation centre which is vital, however, in terms of primary prevention, one important way forward is to strengthen the presence of existing state institutions in carrying out their functions for the benefit of communities and in providing essential services so that people do not rely on drug factions for basic services.

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<sup>561</sup> This CIDP 2018-2023 is upcoming, and some of the authors have been involved in developing it.

## Enabling Factors

Enabling factors were also revealed in this survey – those factors which enable or facilitate crime and violence to take place. Although a full review of formal security interventions was beyond the scope of this report it was evident that an effective police response to crime and violence was lacking in both counties. In Mombasa the survey identified that the city had created a high-tech CCTV crime monitoring centre which is likely to assist in policing strategic installations. However, basic policing was poorly resourced, and police were curtailed in their efforts to investigate and respond to crime. There was a severe breakdown in the relationship between the police and the public characterised by a heavy handed approach to youth crime, and profiling of Muslim youths. This led people to disregard and even avoid the state apparatus when dealing with crime and violence. In Isiolo a similar dynamic was at play in rural areas, whereby police were unable to reach remote areas and ensure return of raided cattle, leading the community to acquire arms through both licit and illicit sources. Police heavy-handedness was also witnessed in the policing of violent extremism by the Anti-Terrorism Police Unit. This kind of breakdown in relationship is self-reinforcing and leads to lost opportunities for intelligence gathering as well as radicalization.

The National Police Reserve (NPR) fills the policing gap in Isiolo but brings its own challenges, not least the fact that a large number are now based in community conservancies and are trained and resourced and also deployed under the leadership of a non-government conservation organization. This may raise new potentials for involvement in ethno-political conflict in a county which already has high conflict risks. Conflict prevention specific to NPRs would involve strengthening of the National Police Service oversight and supervision of existing NPRs, and questioning of the policy of using NPRs, who have minimal training and professionalism, to police remote areas.

Community policing is often seen to be an important arm of crime and violence prevention, but in Mombasa it is currently troubled by a lack of coordination between the various old and new initiatives, and lack of resourcing of the model, even to the point of no provision of community policing IDs. In Isiolo it has not taken off at all. Interestingly, while community policing is to be overseen by the county government it is also an important interface between the community and the national police and as noted, much is wanting in the relationship between the two, which acts as an enabling factor for crime and violence. Importantly, for several reasons, including the lack of capacity, resources and professionalism in the police, progression to prosecution is rare. This renders the first people in the chain (those who report) vulnerable to revenge attacks, and deters people from engaging with the process at all. Thus strengthening existing structures would greatly contribute to improving reporting by the community members and community policing groups. Security and peace actors in counties need to explore ways of bridging the community-police gap, assisting collaboration and protecting those who are leading the way in these kinds of endeavors. Youth respondents in Mombasa suggested that a forum between police and youth may be useful to improve community-police relationships.

## Protective Factors

Some important community and peace groups, religious and inter-faith organizations as well as traditional institutions were revealed by the study to be doing valuable work, and were trusted by the population. In Isiolo, elders score highest on the list of institutions which address crime and violence, while alternative dispute resolution seems to have been an effective tool for dealing with crime and violence, and preventing repercussions, although is not without its drawbacks. Also in Isiolo, there is a history of important peace agreements which need to be maintained through constant dialogue between trusted representatives from the different ethnic groups. There are also some valuable activities going on to counter radicalization of children and youths (see specific sections on this). These require added support by the county and protection by the police. When looking at crime and violence related to *boda bodas* it would seem that Associations are a protective factor, and also provide a way of partnering with other actors such as the police or civil society. A large number of NGOs and charities are active in the counties; there is potential therefore, for mapping and greater coordination of these actors by the county government. More support could also be given to religious and community organizations in both counties which support family wellbeing and mitigate violence in the home.

The adoption of the 2030 Sustainable Development Goals (SDGs) has been a watershed moment for the global community especially because it recognized that achieving social and economic progress for humanity requires varied multi-sectoral approaches and that security and justice are central aspects of social development. Progress in these areas will be essential to achieving the SDGs. Evidence suggests that strengthening legitimate institutions and governance to provide citizen security, justice, and jobs is crucial to break cycles of violence.<sup>562</sup> However, prevention requires incentives and coalitions of many actors to become an effective development tool.<sup>563</sup>

Crime and violence prevention also requires leadership to foster a culture of prevention and hence the attention on county governments. Leadership in the twenty first century ought to embed the characteristics of good governance, equity and inclusion to truly embrace development for the people. County governments in Kenya now have an important role to play to foster a collaborative framework that: allows participation of both levels of government for management of peace and security in the country; provides a forum for dialogue between different levels of government and with the civil society; and strengthens and operationalizes key institutions and structures. The County Policing Authority and County Security Committees/Peace Committees can serve as vehicles of prevention, and the former is in the hands of the county government and can provide direction to the latter. It is laudable that Mombasa County has developed a CVE strategy which is multi-pronged, and also makes a mention of community-police relations; going forward, the county will need to coordinate the efforts by a multitude of partners to achieve its aims. Moving forward, the Crime and Violence Prevention Training collaboration therefore aims to continue to provide technical advice and

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<sup>562</sup> World Bank (2011)

<sup>563</sup> World Bank (2017)

training for capacity building to multi-sectoral actors at the county level with a view to meeting these needs.

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# Appendices

## Appendix 1: Crime and Violence Prevention Baseline Survey Matrix

3 broad areas to be covered, namely, 1) Crime and violence in the county, 2) Current responses, and 3) Current crime and violence prevention activities and partnerships.

<u>POLICE</u>	<u>NATIONAL GOVERNMENT ADMIN.</u>	<u>COUNTY GOVERNMENT</u>	<u>CIVIL SOCIETY AND FAITH BASED</u>	<u>COMMUNITY</u>	<u>OTHER (BUSINESSES, HOSPITALS, SCHOOLS ETC)</u>
<b>1. Crimes and violence (and drivers) in the county</b>					
Annual Crime Report stats. Is it representative?  Types of c+v. Hidden c+v? Hot spots? Gangs? Resource and land conflict? Ethnic/religious conflict? <i>Boda boda</i>	Types of c+v  Drivers of c+v	Types of c+v  Drivers of c+v (Youth unemployment, inequality, borders, resources, under-development etc.)	Specific c+v seen,  Drivers of c+v observed (Conflict, youth employment, other)  Community safety, Protective and risk factors	Types of c+v  (Violence against women and children, petty crime, conflicts, <i>boda boda</i> )  Community safety Protective and risk factors	Violence against women and children (GBV statistics if available from hospitals)
<b>2. Responses to crime and violence</b>					
Current police strategies, effective? not effective?  Police-community relations	Current government strategies, effective? not effective?	Current government strategies, effective? not effective?	Experience of current strategies being used in county, effective? not effective?  Police-community relations	Experience of current strategies being used in county, effective? not effective?  Police-community relations	Experience of current strategies being used in county, effective? not effective?  Police-community relations

<b>3. Crime prevention activities and partnerships</b>					
Partnerships with other organisations?  Thoughts about the CPA  Thoughts about community policing/nyumba kumi  Vigilante bill?	Addressing development and drivers of crime and violence  Partnerships?  Thoughts about the CPA  Thoughts about community policing/ nyumba kumi	Addressing development and drivers of crime and violence  Partnerships?  Thoughts about the CPA  Thoughts about community policing/ nyumba kumi	Specific activities? (Peace building, advocacy, support, practical help etc.)  Partnering with police and government?  Effectiveness of partnerships?  Duplication?  NGO laws?	Specific activities?  Partnering, with police and government?	Specific activities?  Partnering with other organisations, police and government?
<b>4. Other important points, ideas etc.</b>					

Please add to the matrix the specific areas which need exploring with each group

## **Appendix 2: General Framework for In-Depth Interviews and FGDs**

### **Crime and Violence Prevention Training (CPVT) Survey**

**Isiolo/Mombasa Interview/meeting report**

**Date:**

**Reporter:**

**Other Participant(s):**

**Meeting with:**

**Name:**

**Organization:**

**Contact Information:**

- 1) What are the main activities of this organization related to crime and violence?**
- 2) What are the main crime and violence challenges in this locality?**
- 3) What are the drivers of these challenges?**
- 4) What is being done/can be done to assist?**