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# Annual Report to Parliament

on

## The State of National Security

by

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President of the Republic of Kenya  
and Commander-in-Chief of the Defence Forces

31st March, 2016

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## **PREFACE**

I take this opportunity to thank all Kenyans and persons of good will for the support accorded to the Government for the last three years under my administration. As I present this third report to Parliament, I note with appreciation the positive results derived from Kenyans' collaborative efforts in national security.

This secure environment led to increased number of foreign tourists and investors from our traditional partners and other newer sources. The local economy also benefited with improved street lighting and expanded electricity supply across the Country providing the local entrepreneurs with favourable and secure working environment throughout the day and night.

Going forward, we shall focus more on enhancing inter-agency security operations to maximize benefits from this approach. We shall also continue playing an active role in Regional and International peace and security initiatives to facilitate attainment of peaceful and secure region.

Finally, I call on all Kenyans to sustain this close working relationship with Government in crime prevention and detection by reporting any suspected cases of criminal activities.

**H.E. Hon. Uhuru Kenyatta, C.G.H.**

**President of the Republic of Kenya and Commander-in-Chief of the Defence Forces**

## EXECUTIVE SUMMARY

Kenyans enacted an elaborate Constitution to take care of various aspects of their lives. One of the areas that saw a major deviation from the past was National Security Management.

On accountability in National Security management, His Excellency the President is required under Article 240 (7) of the Constitution of Kenya 2010 and Section 16 of the National Security Council Act, 2012, to give an Annual Report to Parliament on the State of National Security in Kenya.

This report is the third for the current administration and contains a summary of National security threat in the Country, measures taken in dealing with each of these threats, challenges faced and recommendations on how the country intends to move as we strive to overcome them.

In summary, the National Security Council had to deal with a myriad of security challenges such as: Terrorism, Radicalization and Violent extremism, Corruption, Cattle rustling and banditry, Drug trafficking and substance abuse, Illicit brews and abuse of alcoholic drinks, Violent Crimes, Wildlife Crimes, Ethnic and Inter Communal Conflicts, Food insecurity, County Boundary Disputes, Transport Safety and Security, Proliferation of Small Arms and Light Weapons and Ammunition, Organized Criminal Groups, Trafficking and Smuggling of Persons, Contraband and smuggling of Goods, Cyber Threat, Money laundering, Environmental degradation, Disasters, Influx of Refugees, and Regional Instability.

This called for specific strategies to deal with each security challenges and also a number of cross cutting multi-sectoral interventions. Some of the major multi-sectoral interventions implemented include: review of security related Legislation, Collaborative approach to countering terrorism, Integrated Command and Control Centre, National Police Service Reforms, Reforms in the National Administration, Reforms in Immigration Services, Correctional Services, Peace building and conflict management, and Citizens' Participation in Security.

Other cross-cutting interventions included: the Integrated Population Registration System (IPRS), Operationalization of the Asset Recovery Agency, Integrated border management programmes, Inter-agency collaboration in investigation and prosecution, Multi-agency team on eradication of Corruption and Regional and international initiatives.

Despite these efforts, a number of underlying challenges and limitations still continue to limit our effectiveness in dealing with national security challenges. The government will invest more resources in dealing with porous borders, corruption, travel advisories, mutating nature of terrorism, presence of refugees and political incitement, to reduce their negative effects on society.

We look forward to enhanced collaboration amongst the actors to facilitate a more safe and secure Country in the years to come.

## 1. INTRODUCTION

1. Kenyans enacted an elaborate Constitution to take care of various aspects of their lives. One of the areas that saw a major deviation from the past was National Security Management. The Kenya Constitution 2010, Chapter 14, Article 238(1), defines National Security as “the protection against internal and external threats to Kenya’s territorial integrity and sovereignty, its people, their rights, freedoms, property, peace, stability and prosperity and other national interests”.
2. The Constitution goes further to specify principles upon which Kenya’s National Security shall be promoted and guaranteed as follows;
  - i. National security is subject to the authority of the Constitution and Parliament
  - ii. National security shall be pursued in compliance with the law and with the utmost respect for the rule of law
  - iii. In performing their functions and exercising their powers, National security organs shall respect the diverse culture of the communities within Kenya
  - iv. Recruitment by the national security organs shall reflect the diversity of the Kenyan people in equitable proportions.
3. On accountability in National Security management, His Excellency the President is required under Article 240(7) of the Constitution of Kenya 2010 and Section 16 of the National Security Council Act, 2012, to give an Annual Report to Parliament on the State of National Security in Kenya. This requirement is in line with Article 240 of the Constitution which creates the National Security Council chaired by His Excellency the President, and mandated by the Constitution to provide supervisory, coordinative, integrative and oversight roles in national security matters.
4. Under this constitutional provision, the current administration has tabled two reports on national security. This third report covers a critical period in our country since we were able to overcome some of the major security challenges experienced in the previous review periods. In particular, the country enjoyed a favourable security environment that enabled her citizens to go about their businesses peacefully and contribute positively in nation building. During the same period, Kenya hosted a number of high profile international dignitaries and conferences that were attended by leaders and participants from all over the world.
5. The number of foreign tourists, investors and business people from our traditional partners and newer sources continued to grow in 2015, which is further testament to Kenya’s favourable security situation. Kenya also continued to play its rightful role in regional bodies like Inter Governmental Authority on Development (IGAD), East Africa Community (EAC), Eastern Africa Standby Force (EASF), International Conference on the Great Lakes Region (ICGLR) and the African Union (AU) to bolster peace initiatives in the region, particularly in those countries experiencing unrest and civil strife.
6. Despite the calm and peace enjoyed in the country, Kenya’s internal security environment was characterized by a myriad of security challenges emanating from both internal and external factors. In order to overcome these challenges, the government employed a number of security strategies that enhanced collaboration and joint interventions by security agencies, other government agencies, non-state actors and members of the public.

7. Further, the Government also instituted several legislative, operational, structural and institutional measures to create synergy and increase effectiveness to address these security challenges. To build on this success, all Kenyans should work closely with security agencies and report any suspected cases of criminal activities to assist the Government to sustain peace and security in the Country.

## 2. THREATS TO NATIONAL SECURITY AND MITIGATION MEASURES

8. During the year under review, the National Security Council through the National Security Organs, Ministries, Departments, Agencies, non state actors and the citizens, combined efforts to deal with the following security challenges and their resultant negative effects;

### 2.1 Terrorism

9. Terrorism has been a global phenomenon for many decades that has most commonly become identified with individuals or groups' attempting to destabilize or overthrow existing political institutions. At the end of the 20th century the motivation behind several terrorist attacks showed a major change of heart. Radical religious motives or a combination of religious and nationalist motives now triggered some of the most devastating terrorist attacks. This development makes it much more difficult to counter terrorism, even more so because the goals of the terrorist groups, their identities, targets, organization, financing and communications have changed over time.
10. Not only has the dynamism of terrorists motives enhanced the overall threat level and threat perception, but the availability of new technology, access to new weapons and the use of media communication have contributed to this effect. Technological advances have given terrorists a new mobility and lethality further complicating interdiction. In addition, the international community is faced with likelihood of the possession and the use of Chemical Biological, Radiological and Nuclear (CBRN) weapons by terrorists.
11. In Africa, terrorism is manifested in both international and domestic incidents. Al Shabaab has played a principal role in shaping the security environment in East Africa. Not only has Al Shabaab introduced extremism and radicalization into the region it has also given the Somalia conflict a more global jihadist dimension thus attracting many Al Qaeda fighters from other conflict areas further exacerbating the regional threat form of terrorism and extremism.
12. In particular, Kenya has experienced numerous terror attacks against its citizens and property perpetuated by terror groups in the supposed name of both domestic and broader causes. The current terrorist threat in Kenya is mainly from Al Qaeda East Africa (AQEA) and its affiliate, Al Shabaab.
13. A protracted state of violent instability, long porous borders and coastline has made Somalia a safe haven for international terrorists' recruitment, training and launching pad for conducting operations across the region. While the Kenyan Al Qaeda cell earlier consisted of mostly foreigners, more recently Kenyan locals are joining the terrorist cells.
14. Intelligence has pointed out that Al Shabaab operatives and "Amniyat" (*Intelligence wing of Al Shabaab*) are keenly looking for fertile grounds to recruit, radicalize and possibly attack targets within the country. The operatives are now redirecting their energies to hitherto untouched areas such as in Rift Valley, Western and even Nyanza regions as new frontiers for recruitment.
15. Some of the major attacks include the 1998 bombing of US Embassy in Nairobi and the 2013 Westgate Mall shooting where over 60 people were killed. On 16<sup>th</sup> June 2014, 48 people were killed in Mpeketoni, Lamu County. On 22<sup>nd</sup> November 2014, gunmen attacked a bus from Mandera to Nairobi, killing 28 persons, mostly teachers and Government workers heading to Nairobi for the December holidays. On 2<sup>nd</sup> December 2014, Al-Shabaab militants attacked and killed a further 36 quarry workers. During the period under review, Kenya experienced two major attacks at Garissa University College on 2<sup>nd</sup> April, 2015 where 142 students, 2 guards and three security personnel lost their lives while 79 others were injured, and the El Ade attack on Kenya Defence Forces camp



under AMISOM on 15th January, 2016. So far, a number of suspects have been arrested and are facing charges before various courts in the Country.

16. This terrorism related challenges forced Kenya to study the terrorists' techniques and design appropriate counter-measures. For instance, the Al-Shabaab had infiltrated the country and were among other strategies;
  - Exploiting local grievances to drive their agenda;
  - Deploying Kenyan returnees and radicalized youth 'clean skins' to execute terror related activities;
  - Going for soft targets such as the malls, churches, learning institutions and settlements inhabited by non-Muslims;
  - Fomenting inter-religious and ethnic conflicts among communities.
  - Sponsoring well-calculated programmes to indoctrinate Kenya Muslims with the Violent Extremism ideology through madrassas, formal learning institutions, the internet and the media. This radicalization led to frequent unrests in learning institutions and to several Kenyan youths being recruited and leaving the country to join foreign fighters in Syria and other places.
17. Over the last one year, security preparedness and operations by Government has made it difficult for the Al Shabaab to penetrate urban areas and have been forced to turn to isolated soft targets, application of single actor styles (lone wolves) than using large groups of terrorists. As a result, the number and magnitude of terrorist attacks in Kenya has reduced gradually this year and the tourism sector and the economy at large is getting back on its feet.
18. This success has been generated through concerted efforts by government institutions, non- state actors, civil society, faith based organization and the public in general.
19. The following measures have been put in place by the government in an effort to combat terrorism:

**(1) Legislative measures**

The Security Laws (Amendment) Act (SLAA), 2014 has been useful in enhancing counter terrorism capacity. The Prevention of Terrorism Act (POTA), 2012, Proceeds of Crime and Anti-Money Laundering Act, 2011, and Prevention of Organized Crime Act, 2010 together provided a legal framework under which to prosecute acts of terrorism. Amendments to POTA, 2012 in 2013 strengthened the criminalization of financing acts of terrorism.

**(2) Operational measures**

- (a) Multi-agency coordination and sharing of counterterrorism functions among the various security agencies to enhance synergy and avoid duplication of efforts,
- (b) Enhanced intelligence collection and sharing both locally and internationally,
- (c) Enhanced and sustained security vigilance across the country,
- (d) Continuous ground, aerial and maritime surveillance of our borders,
- (e) Enhanced border control and management measures through implementation of a Comprehensive Multi-Agency Strategy to secure our international borders,
- (f) Enhanced citizen participation in security through Nyumba Kumi initiative.

### **(3) Institutional measures**

- (a) Establishment of the Multi-Agency Co-ordination Unit at the National Police Service Headquarters to enhance institutional synergy,
- (b) Establishment of the Regional Command and Control Centres in Coast and North Eastern Regions,
- (c) Strengthening of the Financial Reporting Centre to analyze financial transactions and support law enforcement authorities in investigating the financing of terrorism. Kenya is a member of the Eastern and Southern Africa Anti-Money Laundering Group, a regional Financial Action Task Force (FATF),
- (d) Revamping of National Counter Terrorism Centre (NCTC),
- (e) Establishment of Joint Counter Terrorism Analysis Centre (JCTAC),
- (f) Enhanced linkages between the National Aviation Security Committee (NAVSEC) and the National Security Advisory Committee.

### **(4) Capacity building measures**

- (a) Enhanced capability of security agencies through hiring of additional personnel, training and provision of modern equipment,
- (b) Public-Private Partnership programs to improve security awareness levels, surveillance and screening as well as institutionalized exchange of threat and vulnerability assessments.

### **(5) Regional and International efforts**

20. As part of the regional and international efforts, to fight terrorism, Kenya remains engaged in Somalia under the auspices of AMISOM in support of the Somalia National Army to defeat the terrorist group Al Shabaab and its affiliates. Other international efforts include signing of a number of Bilateral/multilateral Agreements on cooperation and support on security matters.
21. Kenya still faced the following challenges in the fight against terrorism:
- (a) The vast and porous Kenya Somalia border which overstretch resources to police,
  - (b) Some weaknesses within the existing laws which tend to benefit terrorists and their sympathizers limited the effectiveness of the criminal justice system. The Kenyan judiciary demonstrated increasing independence and competence, but remained hampered by a lack of key procedural tools to allow effective use of plea agreements, cooperation agreements, electronic evidence and other undercover investigative tools.
  - (c) Travel advisories by foreign countries, upon receiving the news about the terrorist threat/attacks in Kenya's helped the terrorist agenda and reduce the total number of travellers who came to our country.
  - (d) The extensive negative media coverage of the attacks particularly focused on Kenya's vulnerability to terrorism severely tarnishing Kenya's image internationally.
  - (e) Infiltration of refugee camps by terrorist elements
  - (f) Low levels of public participation in security
  - (g) Presence of terrorist sympathisers within the general population
22. The Government is fully committed to the implementation of the National Counter-Terrorism Strategy and calls upon all Kenyans to support the cause. Sacrifices must be made, laws must be strengthened and resources sought to strengthen the capabilities of counterterrorism efforts.



## 2.2 Radicalization and Violent Extremism

23. Violent extremism is a manifestation of radical ideologies propagated by individuals who do not tolerate alternative thinking. The propagators through the radicalization process have been taking advantage of the prevailing and perceived grievances along which they have developed narratives based on their socio-economic conditions.
24. Technological advancement has facilitated the spread of extremist ideologies, and propaganda by radical violent individuals and groups. In the quest to propagate their agenda the terrorist groups are recruiting, indoctrinating, training and facilitating movement of their members.
25. In Kenya, radicalization has evolved over a period of time whereby a section of Kenyans, usually young people, are introduced to strands of ideologies that espouse violence as a means of expression. The current threat of radicalization to violent extremism is largely connected to the desire by terrorist groups such as Islamic States, Al Qaeda and Al Shabaab to create a significant pool of radicalized Kenyan youth, who could be easily deployed for terrorism missions, perpetuation of secessionist aspirations and the ultimate goal of creating an Islamic caliphate.
26. Radicalization is manifested through revolutionary and militant behaviour and violent take-over of mosques, madrassas and welfare institutions. The radicals have developed an elaborate propaganda network which includes use of electronic media (videos, CDs), mass media and are more pronounced on social media to recruit, indoctrinate, gain sympathy, justify their actions, intimidate moderate clerics and incite inter-religious animosity to derail the governments' counter-radicalization efforts. Violent extremists have broadened their recruitment and operational spaces to include prisons and institutions of higher learning such as secondary schools, colleges and universities. This radicalization of the youth has led to frequent unrests in learning institutions and to several Kenyan youths being recruited into foreign fighters.
27. In this regard the Government has continued to invest in the youths through youth funds and women funds, besides promoting education, which provides young people with the skills needed to enter an increasingly modern and globally connected marketplace. Procurement rules have been amended to allow 30 per cent of contracts to be given to the youth, women and persons with disability without competition from established firms.
28. In the last one year, the Government of Kenya in collaboration with local, regional and international partners has devised an elaborate National Strategy to Counter Violent Extremism to address both pull and push factors that make Kenyan youth and society at large more vulnerable to violent extremists' ideology.
  - In December 2014, the country enacted Security Laws Amendment Act, which elevated the National Counter Terrorism Centre to be a Legal Body and a strong agency of the National Security Council. This Amendment Act also made any person found propagating radical ideologies in the country liable to criminal charges.
  - The Government embarked on the process of developing National Strategy to Counter Violent Extremism which focuses on Prevention measures that target individuals and communities at risk of recruitment into violent extremism, curative measures that deal with those already radicalized and the affected communities and community resilience initiatives seeking to assist communities recover from the effects of violent extremism and to reject extremist narratives.
  - In February 2015 the Government of Kenya participated in the inaugural White House Summit on Countering Violent Extremism, Summit brought together Ministers of Interior and Foreign Affairs from over Sixty (60) countries and other

actors from across the world to develop an action agenda to address the phenomenon of Violent Extremism. The summit was addressed by among others President Barrack Obama and UN Secretary General Ban Ki Moon who called on Nations to address the ungoverned space, grievances, hopelessness and disorder which make communities vulnerable for recruitment by terrorists and appealed to the Muslim community to take a bigger role in Countering Violent Extremist since terrorist propaganda is directed to Muslims communities.

In response to this US-led initiative, Kenya hosted a Regional Conference on Countering Violent Extremism (CVE) in June 2015 in Nairobi. This Conference brought together ministers in charge of security and delegates from 22 African countries and 15 other Governments, which are important partners in combating violent extremism in Africa. Other participants were drawn from Pan-African Regional Institutions, Multilateral Organizations, Civil Society, Private Sector, and the Academia. The conference enhanced participants' awareness and insight of the defining features of violent extremism from an Africa-informed perspective, and promoted collaboration between government, civil society and the private sector from the backdrop of enhanced regional and global partnership.

29. The Conference recommended enhancing forms of engagement at the various levels, inclusion of all stakeholders in the conceptualization, design and implementation of comprehensive strategies and plans to be deployed going forward. It also committed to periodically review progress at the country levels, and forge effective international partnership that adds value to the national and local efforts to counter violent extremism. Finally, it laid emphasis on the value of research and evidence in driving policy, strategies and plans that counter violent extremism.
30. In July 2015, Kenya took part in Colloquium on Regional Counter Violent Extremism (CVE) in Rome, Italy. The Conference deliberated on the factors that contribute to violent extremism and threats emanating from ISIS, Al-Qaeda, Boko Haram, Al-Shabaab, Hamas and other terror and like-minded extremist's networks.
31. The Rome Conference emphasized the need to step up approaches that involve independent researchers, civil-society groups, the private sector, the religious organizations and most importantly the role of the state. It also noted the limitations of security forces to address factors feeding violent extremism and reinforced the critical role played by private sector in counter violent extremism. It also recommended the need to exploit social media and cyber-space in general with positive counter narratives.
32. Guided by the National Strategy to Counter Violent Extremism, the Ministry of Interior and Coordination of National Government has been coordinating all programmes Countering Violent Extremism in the country. Part of this measures include establishment of a National Fund in the Treasury into which all Donors intending to finance CVE programmes in the country will channel their contribution.
33. The management framework and modalities for establishing this fund and the accompanying guidelines on sourcing and utilization of these funds by State and Non-State Agencies are at an advanced stage.
34. The Government launched a returnee amnesty programme, which has seen more than 3000 returnees' put under rehabilitation in partnership with stakeholders.

### **2.3 Influx of Refugees**

35. Kenya is hosting refugees fleeing from neighbouring countries as a result of civil war, political unrest and upheavals that at one time or another obtained in countries such as Ethiopia, Somalia, Sudan, Southern Sudan, Uganda and countries in the Great Lakes Region. The influx of refugees has put a lot of strain on essential resources such as food,



shelter and other social amenities in refugee hosting communities. It has also created hostility between the host community and the refugees due to competition for scarce resources.

36. A number of terror and criminal activities have been bred in the main refugee camps at Dadaab and Kakuma which hosts approximately 600,000 refugees and asylum seekers to date, mainly from Somalia and South Sudan. Kenya's continued hosting of Somali refugees and granting them prima facie status has been a thorny issue among the Kenyan public due to increased incidences of insecurity in the form of terrorist attacks, radicalization, banditry, proliferation of small arms and light weapons, Improvised Explosive Devices (IEDs), contraband and environmental degradation. This has necessitated dialogue to create a balance between the protection of refugees and asylum seekers vis-à-vis security management, in the context of changing security dynamics both within Kenya and in the region.
37. The Government in collaboration with other stakeholders has developed a draft National Asylum Policy and Refugees Bill 2015 that aims at aligning refugee protection with security challenges facing the country. So far, the Government, in collaboration with the Federal Republic of Somalia and United Nations High Commissioner for Refugees (UNHCR) has facilitated voluntary repatriation of about 10,000 Somali refugees while over 100,000 have returned on their own.
38. Further, the Government with other stakeholders has developed an Integrated Action Plan for Sustained Return and Reintegration of Somalia Refugees estimated to cost about USD 500,000,000. In an effort to raise these funds, the UNHCR and the European Union co-hosted a Ministerial Pledging Conference on repatriation of Somalia Refugees in Brussels on 21st October 2015 where donors pledged a total of USD 105.8 Million to kick-start the process.
39. The Government has realized that the Tripartite Agreement on voluntary repatriation of refugees signed by the Government of Kenya, the Federal Republic of Somalia and the UNHCR will be expiring in November this year and it is unlikely to yield the desired results. Thus, the Government is exploring alternative ways of managing the issue.

#### **2.4 Cattle Rustling and Banditry**

40. The persistent practice of cattle rustling is to blame for insecurity and conflict among the pastoral communities in Kenya, who mainly rely on livestock farming and pastoralism for their subsistence. Previously, cattle rustling activities and other incidences of livestock theft were merely a cultural practice that acted as a rite of passage, an avenue to amass cattle for payment of dowry as well as re-stocking. Currently, the vice has taken a commercial angle where animals are stolen and sold in major towns.
41. The menace is greatly facilitated by the readily availability of small arms and light weapons in the cattle-rustling prone areas. The increased use of firearms in cattle-rustling by the pastoralist communities has not only grown to become a major daunting security threat to the lives of the pastoralists but also a key threat to the very core of their livelihoods.
42. In the year 2015, the most affected areas were the North Rift and Upper Eastern regions where 3,087 livestock were reported stolen, with 774 recovered. This represents a significant drop in the number of incidents recorded in the year 2014 where 14,484 livestock were reported stolen and 3,518 recovered. This drop is attributed to peace efforts and peace caravans initiated by Government in conjunction with local leaders. The successful recovery of stolen animals to a great degree also discouraged perpetrators of the vice.



43. The Government also held consultative meetings with political leaders from cattle rustling prone areas at the Boma Hotel (BOMA I-7th January 2015 and BOMA II-28th January 2015), and at Karen (KAREN I-14th May 2015 and KAREN II-16th June 2015), which resulted in marked peace and stability in North Rift, North Eastern and Upper Eastern.
44. Cattle rustling had adverse effects on the affected communities as it led to insecurity, displacement of populations, loss of lives and livelihoods.
45. Efforts to stamp out cattle rustling have been hampered by;
- Poor communication infrastructure and hostile terrain,
  - Proliferation of illegal firearms, particularly among communities residing along the common borders with neighboring countries experiencing instability,
  - Strong conviction by communities involved in the vice to hold onto negative cultural practices,
  - Selfish political interests by politicians and lack of political and communal goodwill during initiation of peace building mechanisms at the local level,
  - Suspicion and mistrust among the affected communities,
  - The migratory nature of pastoral communities.
46. The national government intends to liaise with the County governments to invest more in these areas by improving social and economic facilities in order to open up these regions.

## 2.5 Drug trafficking and substance abuse

47. Kenya is being used as a conduit for drug trafficking emanating mainly from international sources especially from Asia and South America. Major international drug trafficking networks, headed mainly by West Africans but also involving some Kenyans, are responsible for the bulk of cocaine and heroin trafficked into and through the country. During the year under review, the following drugs were seized in the country as shown in Table 2;

**Table 1: Seizure of drugs trafficked in the year 2015**

TYPE OF DRUG	NO. OF CASES DETECTED	NO. OF PERSONS ARRESTED	NO. OF MALES ARRESTED	NO. OF FEMALES ARRESTED	QUANTITY OF DRUG
Heroin	133	148	129	19	2132 Sachets 39,493.18gms
Cocaine	5	5	5	-	5091.07 gms
(Psychotropic Substances) Rohypnol	10	10	10	-	705 Tabs
Ephedri	3	3	1	2	18199.4 gms
Cannabis Sativa	634	531	460	71	4356.504 Kgs 6396 Rolls, 654 Stems, 256 Vrooms, 2120 Stones
<b>TOTAL</b>	<b>785</b>	<b>698</b>	<b>605</b>	<b>93</b>	

*Source: National Police Service*

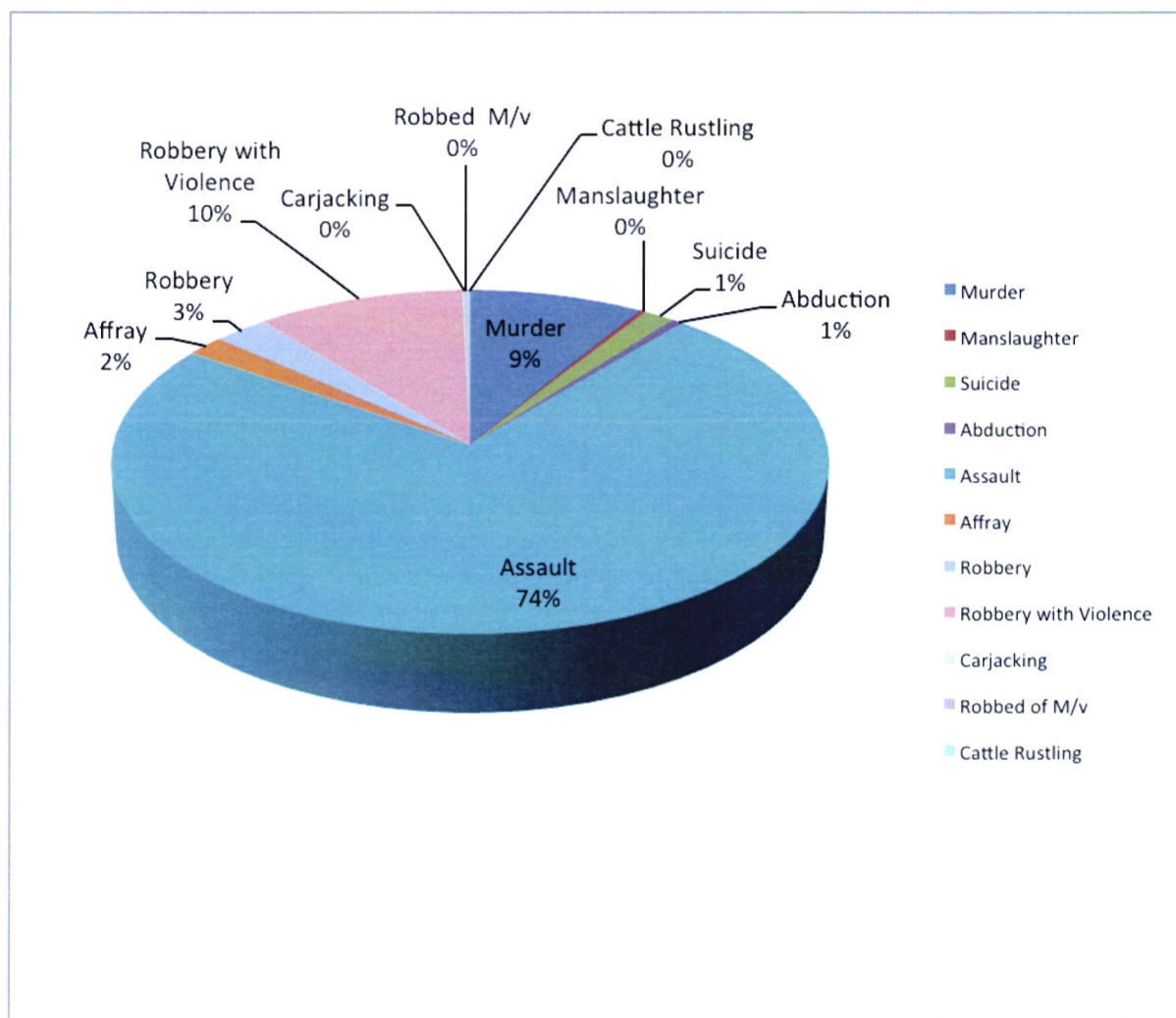
48. Drug abuse was prevalent amongst students and the youth from mainly the Coast and Nairobi regions. Some of the effects of drug abuse include decline in education performance, negative health implications, reduced productivity, high crime rate and family disintegration.
49. In the last one year, the government sunk two ships in Mombasa, the MV AL NOOR and MV BABY IRIS, which were involved in drug trafficking. Intensive operations and campaigns against drug trafficking were also carried out across the country.
50. The following limitations undermined efforts in the fight against drug trafficking and abuse; the international nature of the vice, limited economic opportunities, corruption and lengthy judicial processes.
51. Operations and campaigns against drug trafficking will be intensified in addition to enforcing laws and regulations dealing with the vice.

## **2.6 Illicit brews and abuse of alcoholic drinks**

52. Consumption of illicit brews and abuse of conventional alcoholic drinks has permeated the society with the majority of those affected comprising the youth. This has had a negative effect on education leading to poor performance, student unrest, truancy, dropouts, juvenile delinquency, addiction and indulgence in criminal activities. The danger of increased immorality and other anti-social behaviors has exposed the youth to unwanted pregnancies and HIV/AIDS. Considering that majority of the affected are within the most productive age bracket, the abuse of alcohol has affected productivity in some regions in the country leading to poverty, disintegration of families and decline in economic development. The consumption of these drinks has resulted in serious health conditions including death, impacting negatively of the country's health budget. Most of the illicit brews are produced by unlicensed operators under unhygienic conditions.
53. Stringent measures have been put in place to create massive awareness among the youth on the consequences of illicit brews and abuse of alcoholic drinks. On 2nd July 2015, His Excellency the President directed that a campaign be launched against potable spirits, illicit brews, drugs and substance abuse. A taskforce was formed to undertake an audit of all alcoholic drinks, potable spirits and illicit brews in the country by conducting inspection of premises manufacturing alcoholic drinks, with a view to recommending closure of any non-compliant firms.
54. Out of this exercise, 156 of 177 firms inspected were found culpable and closed. At the end of three months over 17,000, 000 litres of illicit alcohol had been destroyed with over 13,000 persons charged with various offences relating to illicit alcohol. The crackdown on the manufacture, storage, sale and consumption of illegal brews was hampered by court orders preventing police officers and other government officials from accessing some of the premises. These court orders are issued following applications lodged by manufacturers and distributors.
55. As we move forward, the Government has put in place initiatives for inspection of alcoholic drinks covered by other standards, including manufacturers of beer and wine. Further, the government will review the relevant laws in an effort to address the legal challenges/gaps hindering efficient regulation of the industry.
56. The national government will continue to partner with County governments in establishing and refurbishing treatment and rehabilitation centers. So far the Government has refurbished 13 centres across the country to deal with the rehabilitation of people affected by effects of alcohol abuse.

## 2.7 Violent Crimes

57. Criminal activity directed at individuals poses danger to the human body and threatens the security of the citizenry to go about their business in a safe and secure environment as envisaged in Vision 2030. Violent crimes are of diverse nature which includes murder, manslaughter, abduction, assault, affray, robbery, and robbery with violence, cattle theft and sexual and gender based violence. The Government recognizes the prevalence and devastation of victims of such crimes.
58. As a trend, violent criminal activity is fueled by interpersonal conflicts, unemployment, proliferation of small arms and light weapons and other stress related issues.
59. In the year 2015, a total of 19,881 cases of violent crimes were reported representing a 1.3% increase from the previous year, which recorded a total of 19,631 cases.

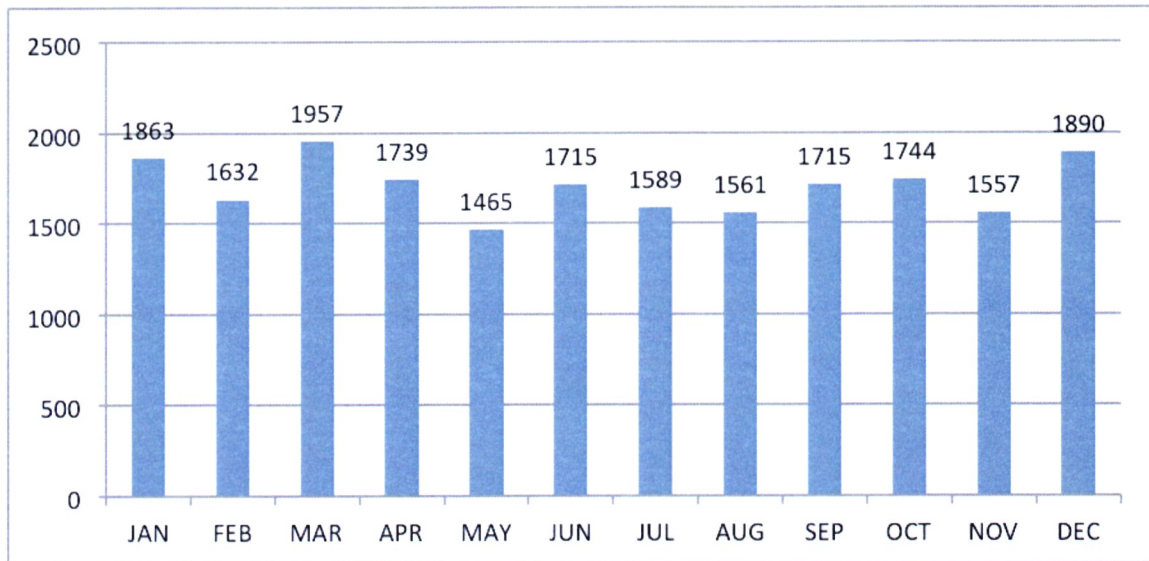


**Figure 1: Prevalence of various types of violent crime in the country in 2015**

*Source: National Police Service*



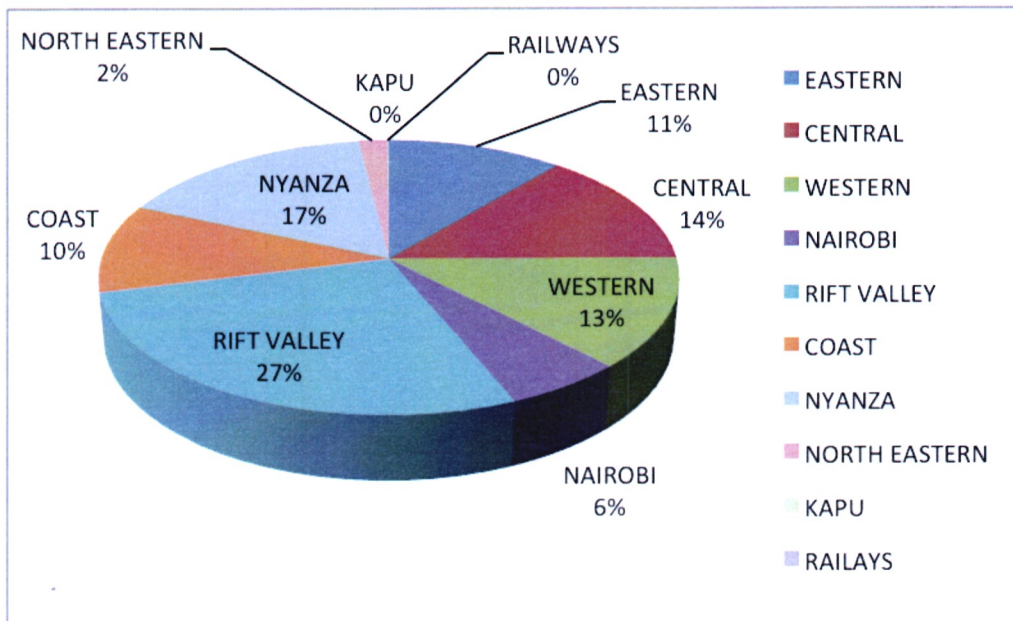
The following diagram indicates the rates of violent crimes reported throughout the year;



**Figure 2: Monthly distribution of violent crimes in the Country**

*Source: National Police Service*

The following diagram indicates how reported incidents of crime were distributed across the country in the year 2015;



**Figure 3: Regional distribution of violent crimes in 2015**

*Source: National Police Service*

60. Gender based violence continues to pose a challenge as it affects the dignity of the victim as well as exposing them to other secondary effects associated with the kind of violence meted on them. These crimes include rape, defilement, incest, un-natural offences, bestiality, indecent assault and bigamy. Gender based violence has deep psychological consequences that are hard to quantify and remedy. It further erodes the social fabric of the society. A number of cases go unreported because our society considers them as taboo subjects and hence most of the cases are handled domestically away from the justice system.

**Table 2: Summary of Gender based violence related cases**

	<b>OFFENCE</b>	<b>2014</b>	<b>2015</b>	<b>DIFF</b>	<b>%DIFF</b>
1.	Rape	895	854	-41	-4.6
2.	Defilement	3685	4381	696	18.9
3.	Incest	239	333	94	39.3
4.	Un-natural offences	103	125	22	21.4
5.	Bestiality	32	43	11	34.4
6.	Indecent assault	144	183	39	27.1
7.	Bigamy	18	19	1	5.6
	<b>Sub - Total</b>	<b>5116</b>	<b>5938</b>	<b>822</b>	<b>16.1</b>

*Source: National Police Service*

61. The Government continues to support law enforcement efforts in the fight against crime through law reform and capacity building of investigators and prosecutors. Inter-agency collaboration and the employment of prosecutor-guided investigations have further supported the efforts in ensuring comprehensive gathering of cogent evidence and its presentation in court. These efforts have also received complementary support from the judiciary who strictly apply the law especially in gender based violence cases.
62. The challenges in fighting violent crime include the reluctance and or fear of members of the public to report and give evidence in court. The Government is committed to fully implement the Victim Protection Act of 2014. Moreover the capacity of investigations and prosecution to discharge their mandates continues to be improved through training and capacity building at all levels.

## **2.8 Wildlife Crimes**

63. Kenya's unique landscape supports abundant and varied wildlife of scientific, intrinsic and economic value and has considerable land area of wildlife habitat. The country has committed a total of 8% of its land mass (approximately 48,000 km<sup>2</sup> for wildlife conservation in total). This comprises 23 National Parks, 28 National Reserves, 6 Marine National Reserves, 4 Marine Parks and 4 National Sanctuaries. In addition to the national parks and reserves, there are many private and community sanctuaries hosting big populations of wildlife. The privately owned conservation areas are located mainly in the wildlife dispersal and migratory corridors and thus directly support the country's wildlife conservation efforts.
64. Wildlife has become the target of illegal activities such as poaching, illegal exploitation and other crimes. These wildlife crimes have both direct and indirect negative impact on local communities, including depletion of the resource base on which they depend for their livelihoods besides altering of the local environmental conditions. The crimes also pose a great threat to national, regional and international conservation efforts. It also works against the spirit of the country's Vision 2030 by jeopardizing our wildlife based tourism industry and natural resource base.
65. Like other forms of crime, wildlife crime undermines security across nations. Well-armed, equipped and organized networks of poachers, criminals, and corrupt officials exploit porous borders to perpetrate illegal activities in the wildlife sector.



66. The poaching trend went down between 2012 and 2015 largely due to enhanced enforcement efforts. These efforts led to 41% and 69% reduction in elephant and rhino poaching respectively in 2015 compared to 2014. Collaboration among security agencies, Judiciary, Office of the Director of Public Prosecution and other local, regional and international stakeholders were stepped up resulting to the gains and achievements realized.
67. On 3rd March, 2015 H.E Hon. Uhuru Kenyatta led the country in torching of 15 tonnes of Ivory at Nairobi National Park during the occasion to mark Africa Union Environment Day, Prof. Wangari Maathai Day and World Wildlife Day. The burning of Ivory signifies the Government commitment in fighting international illegal trade in Ivory and poaching. It was also an occasion to call upon the World to sustain the total Ban in Ivory and Rhino Horn Trade.
68. During the year, a number of illicit wildlife trophies were recovered from wildlife crime offenders in various parts of the country and at the points of entries. These included 1190kgs of ivory and 26.47 kgs of rhino horns. In the same period, a total of 1,185 wildlife offenders were arrested and prosecuted for various offences. The highest jail sentence meted out was life imprisonment while the highest fine was Kshs. 50 million.
69. In an effort to enhance wildlife security, the Government has taken various policies, legislative and operational measures and deployed specialized security units to specific target areas. The Government also commissioned a wildlife forensic laboratory to support investigative efforts in the fight against wildlife crime. The Government in collaboration with UNODC launched the Container Control Program in 2015, to ensure efficient tracking and monitoring of suspected cargo moving across borders.
70. The increasing demand for wildlife products both locally and internationally is an incentive for increased poaching and destruction of endangered species. Destruction of wildlife habitats due to growing human population, poverty, socio-economic factors, amongst others poses a challenge in wildlife law enforcement.
71. The Government is committed to combat wild life crimes to ensure that our wildlife heritage is conserved for posterity. There is need therefore for concerted efforts by all stakeholders to support the Government in this endeavour.

## **2.9 Ethnic and Inter Communal Conflicts**

72. Ethnic and inter-communal conflicts were experienced in some parts of the country. These conflicts were fuelled by perceived marginalization and historical injustices, tribal or clan differences, politicization of issues and incitement, competition for resources such as land, water and pasture. Some counties tussled over land and border issues as well as resources with the intention of enhancing their internal revenue generation capacities. These conflicts have impacted negatively on development in some of these areas.
73. Some of the conflicts witnessed in the North Rift and Upper Eastern areas, resulted from competition for pasture, water, cattle rustling, and boundary disputes. Political supremacy in some parts of North Eastern and Upper Eastern resulted into latent tensions in the region leading to conflicts. In the Coast region, in Tana River County, tension manifested between the farming and pastoralist communities over water and pasture.
74. Along the borders of Kisumu, Nandi, Kakamega, Kisii, Migori and Kericho counties, tension was reported among the various communities over stock thefts. The situation was sometimes aggravated by political competition. In the counties of Meru and Isiolo, there was conflict between the communities over cattle rustling, disputes over boundaries and competition for land over the upcoming LAPSET flagship projects.
75. Ethnic and inter communal conflicts are partly to be blamed for underdevelopment of the affected areas and the delay in the implementation of some of the flagship projects, as

was reported in Makueni/Kajiado border, affecting the standard gauge railway. The conflicts have also led to loss of lives and property and displacement of people, besides undermining cohesion and integration of communities.

76. In order to mitigate the effects, the government has operationalized the national peace structures and facilitated peace caravans in affected areas. During the year under review, the government through the National Steering Committee on Peace building and Conflict Management, achieved the following;
- (a) Secured adoption by Parliament of the Sessional Paper No. 5 of 2014 on Peace building and Conflict Management in Kenya.
  - (b) Developed the Draft Bill for the National Peace Council.
  - (c) Supported and conducted capacity building on peace building and conflict management for state and non-state actors in conflict prevention, management and resolution; mediation, dialogue and negotiation; conflict sensitive programming and integrating gender in peace building.
  - (d) Supported peace building and conflict management initiatives in Karamoja Cluster (*pastoralist communities in Northern Kenya, South East Uganda, and South Sudan*) Uganda, which led to relative peace in the area and increased collaboration among communities leading to recovery and hand-over of stolen livestock whenever it occurs.
  - (e) Conducted Community peace dialogue in Marsabit, Mandera, Wajir, Garissa, Kwale, Kilifi, Mombasa, Tana River, Isiolo, Meru, Laikipia, Kisumu, Migori among others.
  - (f) Held consultations with the Security and Foreign Relations Committee of the Council of Governors and sensitized them on the Sessional Paper No. 5 of 2014 on Peace building and Conflict Management in Kenya; and also shared the Coordination strategy for peace building and conflict management for the year 2016-2017.
  - (g) The Government of Kenya in partnership with Conflict Early Warning and Response (CEWARN) Mechanism under IGAD completed the construction of the Sololo Livestock market in Marsabit County. The market will serve as a peace dividend for communities from Kenya and Ethiopia and promote peace in the target region. Twenty (20) Market stalls for women were also constructed at the Livestock market and are currently being used by women to sell their wares.
77. These efforts have culminated into relative calm and restoration of peace in the affected areas, while several suspects have been prosecuted for hate speech.
78. However, efforts to mitigate the effects of these conflicts were hampered by political interferences, high levels of poverty, tribal animosities and negative cultural practices.
79. The Government is committed to fully support all peace building and conflict management initiatives, including the implementation of Sessional Paper No.5/2014 and continuous engagement of the affected communities in the spirit of national cohesion and integration. These conflicts will have to be addressed if the flagship projects are to be implemented.

## **2.10 Food insecurity**

80. In the past, Kenya has experienced both favourable and adverse food security situations. In the year 2015 the food situation in the country was stable due to favourable weather conditions in most parts of the country. This was a result of good rainfall distribution.
81. However, arid and semi-arid areas experienced food insecurity as a result of unreliable rainfall. This situation was compounded by the fact that most of the inhabitants of these areas are pastoralists who do not settle long enough in one place to take advantage of the



short rainfall window. High inflation rate, high food prices and human wildlife conflict have also contributed to fuelling food insecurity in the country. Food insecurity in arid and semi-arid areas led to, among others, increase in inter communal conflicts, high food prices, malnutrition among children and the aged, increase in cases of crimes and disruption of education programs.

82. Kenya Government, in partnership with other stakeholders such as World Food Programme (WFP) has been addressing emergency needs in order to save lives and improve the nutrition and quality of life of the most vulnerable. The Government has been availing subsidized fertilizers and seeds to farmers at the onset of rain. Further, there is a deliberate effort to sensitize the pastoral communities to keep the number of animals that they can afford to manage properly.
83. Globalization has forced Kenya to open its markets, thus allowing other countries to export their agricultural products to the country. Unfortunately, the local farmers are not able to compete with farmers across the globe whose produce sold for less because of great efficiency and the superior technologies they used as well as subsidies granted to them by their governments.
84. The Government launched various irrigation projects in the country to address food insecurity such as the Galana-Kulalu project in Tana River County. The Government is keen on improving the production capacity of the scheme in line with its endeavour to boost food security in the country.
85. The Government's efforts to enhance food security in the country were encumbered by unpredictable weather patterns, counterfeit farm inputs, corruption, poor farming methods, improper land use, unscrupulous traders exporting food commodities meant for the local market as well as the inability of the National Cereals and Produce Board (NCPB) to competitively absorb cereal harvests from farmers.
86. The Government will continue to invest in efforts aimed at improving food security situation in the country, including the on-going subsidy of fertilizers and seeds, enhancing the capacity of NCPB.

## **2.11 County Boundary Disputes**

87. The creation of new administrative and political units plus the advent of county governments seem to have aggravated the county boundary disputes, most of which are historical. These disputes are serious threats to national security and are driven by desire by some leaders to create ethnic/homogenous exclusive zones that are in conflict with our Constitution, while some County governments are eager to acquire more land and resources endowed within the disputed areas. So far there are thirty five (35) inter-county boundary disputes.
88. In an effort to resolve existing inter-county boundary disputes, the Government constituted an eleven-member committee on 22nd September, 2015 to collect and compile data on the existing boundary disputes between counties. This process was informed by long standing and explosive boundary disputes between Counties that have sometimes led to major security challenges resulting to violence, human displacement, loss of lives and destruction of property. The recommendations of the team are being implemented by all the designated actors, and a lot of success has been recorded.
89. On disputes within specific counties, the Government has had to deal with conflicts resulting from uneven resource distribution and perceived marginalization and is engaging the leaders to resolve the underlying issues to ensure they do not polarize the country as we prepare for the next general elections.

90. The Government shall continue to monitor the dynamics along the disputed areas to ensure that the residents and investors in those areas enjoy a sustainable secure environment.

## **2.12 Transport Safety and Security**

### **i. Road safety**

91. More than 1.24 million people die on the world's road each year with the highest death toll being recorded in developing countries despite the low levels of motorization. In the past year ensuring road safety continued to pose a challenge in Kenya with an estimated 3,000 fatal crashes occurring annually.
92. These road traffic crashes continue to have enormous social and economic impact that affects various sectors of our economy such as health care and loss of the most productive age group.
93. In 2015, the number of people who died on Kenyan roads increased by 5.2% to stand at 3,057, compared to 2,907 in 2014. For the last ten (10) years, pedestrians remain the most vulnerable road users with the highest number of fatalities averaging over 40%. The statistics show that there were 1,344 pedestrian fatalities, which contributed to 44% of all fatalities compared to 46.1% in 2014.
94. There is also a rising trend of fatalities caused by motorcycles. Statistics show that motorcycle related fatalities have been increasing in the last ten years from 34 fatalities in 2006 to 607 in 2015. During the year 2015 motorcycles contributed 20%, private vehicles 35%, Commercial Vehicles 25% and Public Service Vehicles (PSVs) contributed 20% of total fatalities.
95. Road safety and security efforts were undermined by corruption, low levels of road safety awareness, negative attitude and resistance to change and increasing "Boda Boda" related challenges.
96. The Government will continue to sensitize the public on the importance of road safety to improve road user behaviour and encourage public and private stakeholders' engagement and participation. Among these will be the proactive engagement with Road Agencies for better planning, design, construction and maintenance of our roads through improved design standards, road safety assessments, road safety audits and black spot treatment programs.
97. While leveraging on ICT innovations, the Government is committed to improving road safety through innovations such as: Universal Policing Unit (UPU), Mobile Policing Gadget, instant fine systems, Smart Driver License and New generation Number plates. The government together with partners and stakeholders will continually spearhead evidence based road safety interventions.
98. The comparative figures of the number of persons who lost their lives on our roads in the year 2014 and 2015 are summarised in Table 3:



**Table 3: Number of persons who lost their lives on our roads in the year 2014 and 2015**

Victim Type	2015	2014	% Var
Pedestrians	1344	1340	-0.9
Drivers	339	268	26.5
Passengers	668	642	4.0
Pillion Passengers	203	162	25.3
Pedal Cyclists	69	104	-33.7
Motorcyclists	434	391	11.0
<b>Total</b>	<b>3,057</b>	<b>2,907</b>	<b>5.2</b>

*Source: National Transport and Safety Authority*

### **ii. Aviation safety and security**

99. In aviation security, the Government has kept under review the level of threat to civil aviation in the country with due regard to the local and global terrorism threat. Based on this, the government has implemented policies and procedures to adjust the relevant elements of the National Civil Aviation security programme. This constant review of threats, vulnerabilities and risks, has ensured that our airports enjoy a satisfactory level of security over the years.
100. The Government has established primary screening points at Jomo Kenyatta International Airport (JKIA) to protect it against the risk of vehicle and person borne improvised explosive devices and the trafficking in of contraband.
101. The Government has invested in the latest baggage and passenger screening technology in all airports, consequently reducing the number of drug trafficking cases detected in international destinations with JKIA as the port of transit or last point of departure. The cases have reduced by over 90% with only one case reported in 2015 down from 15 in 2012.
102. To underscore the protective security infrastructure at all the airports, the government has been working with international partners in capacity building. In the last two years 264 aviation security staff have benefited from this international exposure in conjunction with the British High Commission's Regional Aviation Security Liaison Office (RASLO) for East, Central and Southern Africa and the US Embassy based Transport Security Administration (TSA). Through the cooperation of the US and the UK, all airports are now equipped with advanced explosive trace detection technology.
103. The Government continues to implement ICAO's Standards and Recommended Best Practices through the use of new technology and training of all staff working at the airport.

### **iii. Maritime security**

104. On maritime security, the Government has deployed an integrated system to secure Kenya's vast coastline and water masses. This brings together several Government agencies, which include the Kenya Maritime Authority, the Kenya Navy and the Kenya Maritime Police Unit, among others. The Government has also installed an integrated security system at the Kilindini port, which has enhanced its operations and surveillance in general. Further, the Government is in the process of improving the existing legal framework to enhance security within the maritime space.



105. The Government endeavours to improve the integrated maritime security system already in place to monitor vessels sailing into the country and those not calling at the ports.

### **2.13 Proliferation of Small Arms, Light Weapons and Ammunition**

106. The availability of small arms and light weapons continues to be a challenge in the fight against insecurity. Pastoralist communities in North Eastern, Upper Eastern and North Rift areas suffer the most from the effects of illicit firearms and light weapons. Small arms have aggravated insecurity in urban centers like Nairobi, Mombasa, Eldoret, Thika, and Kisumu as they are the weapons of choice for criminals. Our porous borders too, with unstable neighbours have made it easy for gunrunners to transport small arms across the borders.

107. It is estimated that there are between 580,000 to 650,000 illicit arms circulating in the Country which have been used to perpetuate conflicts thus increasingly posing significant socio-economic, political and security risks countrywide. Disarmament initiatives by the government in the affected areas have not yielded the desired results.

108. Factors which fuel proliferation of illicit firearms include; insecurity dilemmas facing the affected communities, conflicts over resources, cultural aspects related to gun ownership and organized crime. Other factors include porous borders and straddling nature of communities living along the borders, which facilitate easy movement of weapons. Further, conflicts in the neighbouring countries, as well as weak control measures in international transfer of arms have also facilitated arms availability.

109. In an effort to address the proliferation of illicit arms, the Government has developed a draft National Policy on Small Arms and Light Weapons and the Small Arms and Light Weapons Control and Management Bill. The government is also implementing the Protocol on the Prevention, Combating and Eradication of cattle rustling in Eastern Africa and facilitating ratification of the Arms Trade Treaty.

110. To combat the proliferation of small arms and light weapons in the country, the government implemented a number of initiatives including stock pile management, education and awareness creation and institutional capacity building. The Government and the Regional Centre for Small Arms and Light Weapons acquired two new arms marking/branding machines. The machines were issued to fast track marking of state owned and civilian owned firearms in view of improving firearms accountability and controlling proliferation of illicit small arms and light weapons in the country.

111. The Government is fast tracking the completion of state owned and civilian owned arms marking, coordinate disarmament exercises embracing the best practices, destroy all collected illicit firearms, sustain education and awareness campaigns on the dangers and effects of illicit small arms and light weapons and build the capacity development on stockpile management of firearms under the custody of security agencies. The Government continues to call upon all persons in possession of illegal firearms to surrender them to the relevant government agencies.

### **2.14 Organized Criminal Groups**

112. Organized criminals groups still pose a challenge to the country's national security. There is growing recognition that the intersection between organized crime and terror organizations is deepening and becoming more complex. New actors joined the mix, and crime has become a critical source of funding for terrorist groups.

113. There are over forty (40) proscribed criminal gangs in the country. The most prominent ones include the Mombasa Republican Council (MRC) in Coast region and Mungiki in Central Kenya. MRC started as a separatist (secessionist) movement fronted by members of the Mijikenda community to champion for the independence and self-

governance of the native inhabitants of the area, formerly referred to as the “Ten Mile Coastal Strip”. Their agenda has evolved over the years and is currently using presumed marginalization, the squatter problem, unemployment and lack of access to other resources by some communities to appeal to the emotions of the indigenous people. Increasingly, the Government has observed the growing appetite for linkage between terrorists and local criminal gangs or those with grievances.

114. The other prominent criminal gang, which has been of concern to the Government, is Mungiki. The gang began in the pretext of preserving the Agikuyu culture and evolved into a vicious criminal group engaged in systematic violence, extortion, carjacking and robberies particularly in Nairobi, Central and parts of Rift Valley regions. Although banned, the criminal group is still operating in some parts and is now mutating by engaging in legitimate business activities. Currently, the group’s criminal activities have been minimized by but the membership has mutated into religious organizations, investment projects such as Real estate, SACCOs, self-help groups/ “chamas” and Foundations.

115. In efforts to contain the threats of organized criminal gangs, the Government has been implementing the following strategies;

- Enforcement of the Prevention of Organized Crimes Act, 2010 to enhance the prevention, investigation, and to apprehend suspects and arraigning them in court but successful prosecution has been a challenge.
- Intelligence gathering and research on measures to disable the criminal networks and more so the financiers and kingpins of these organized criminal networks.
- Devolution of Public resources and power to the counties
- Implementation of programs aimed at addressing poverty and unemployment, to empower the youth and citizenry, in order to reduce push/pull factors associated with radicalization of youths. These programmes include;
  - i. Revamping the National Youth Service
  - ii. Uwezo Fund
  - iii. Youth Enterprise Fund
  - iv. Women Enterprise Fund
  - v. Changing of the public procurement law to allocate at least 30% of the contracts to youth and women.

## **2.15 Human trafficking**

116. Human trafficking is the recruitment, transportation, transfer, harbouring or receipt of persons by means of threat or use of force or other forms of coercion, abduction, fraud, deception, for the purpose of exploitation. This is a global security challenge coordinated by international cartels, escalated by violence and bad governance in some countries, coupled with desire by some trafficked persons to seek better lifestyles abroad.

117. The Government has been dealing with the issue to limit the possibility of Kenya being a source, transit and destination country for men, women and children trafficked for the purposes of forced labour and sexual exploitation.

118. Local and international cartels facilitate the vice through Marsabit, Wajir, Mandera and Garissa counties, while Kajiado, Taita Taveta and Kwale counties remained strategic exit points for those destined for Southern African countries, Arab countries and Europe. Bangladeshi, Yemeni, Pakistani, Indian and Sri Lankan aliens continued to be smuggled through Jomo Kenyatta, Moi and Wajir International Airports.

119. In the year 2015, a total of 1878 aliens were arrested in the country with Ethiopians and Somalis accounting for 57% and 38% respectively.
120. This transnational crime posed serious security challenges since some of the aliens find their way back into the Kenyan society and engage in criminal activities including terrorism, besides portraying the image of the country negatively internationally.
121. The situation improved last year following the enactment of the Victim Protection Act (2014), which provides support for trafficked victims and provides for the establishment of a support fund. The Government through the Counter Trafficking in Persons Advisory Committee is in the process of finalizing Counter Trafficking in Persons Regulations to operationalize the Trafficking in Persons Act 2010.
122. During the same period, the Government launched the Kenya National Action Plan for Combating Human Trafficking 2013-2017. The purpose of the Action Plan is to promote co-operation between different stakeholders lay the groundwork for closer co-operation with other countries in the region and beyond.
123. Despite these initiatives, Kenya's unstable neighbours, porous borders, straddling border communities, political interference and limited economic opportunities in the region continued to hinder the country's efforts to combat human trafficking. The government will continue to partner with all stakeholders in addressing the issue besides enforcing the laws and regulations put in place.

#### **2.16 Smuggling of Goods and Counterfeits**

124. Kenya faces a serious challenge from counterfeit goods and contraband. The trade involves networks of cross-border smugglers who target fast-moving and highly profitable goods such as food, electronics and cosmetics. The trade also involves pharmaceuticals and other consumables that pose health and safety risks to the Kenyan populace.
125. In the recent past, criminal networks took advantage of the porosity of the border to smuggle contraband and weapons. Mombasa port, local airports, and other points of entry are also used by criminal networks to smuggle counterfeits, and other illicit commodities. The counterfeit products occasioned loss of business to investors through unfair competition, resulting to reduced employment opportunities within the country. These products also pose health and safety risks to consumers while investors' losses confidence with the commercial systems in the country.
126. In efforts to address these challenges, the Government has enhanced inter-agency border coordination mechanisms and strengthened the capacity of the Anti-Counterfeit Agency, Kenya Revenue Authority and other security and border agencies to enhance surveillance and cooperation in seizure of counterfeits and contraband.
127. Efforts to curb this economic crime are hampered by corruption, unscrupulous businessmen, the financial muscles of the person's involved, porous and expansive borders, and susceptibility of Kenyans to cheap products.
128. The Government will continue to improve border management systems and revenue collection mechanisms to ensure that all commodities entering the country are of the desired quality and the necessary duty is paid.

#### **2.17 Cyber Threat**

129. As our lives become increasingly dependent upon ICT systems and cyber technologies grow ever more sophisticated, the internet has emerged as the new battleground of the 21st century. The growth of Information and Communication Technologies (ICT) has made cyber-crime a reality, which calls for expertise and new measures to combat.



130. Cyber-Crime exposed the country's Information and Communication Technology Systems to cyber-attacks, financial frauds and potential infiltration and loss of vital information. Private sector especially financial institutions have also been affected by cyber-crime and occasioned loss of huge sums of money. Individuals have also not been spared as cyber criminals have fleeced some of them while others have been harassed or stalked through the social media. Virtual criminals based in foreign countries as well as hackers within the country have targeted Kenyan systems. Some criminal syndicates have established virtual networks in and outside the country to perpetuate cyber-crimes.
131. The threat has been escalating due to the sophistication and easy availability of software application tools, which are freely obtained from the internet coupled with susceptibility of unsuspecting victims. The availability and portability of ICT gadgets exposed the users to cyber-crime.
132. Addressing cyber-crime poses a challenge as most of the perpetrators operate from platforms outside the country. However, the Government has enhanced intelligence information gathering, and is finalizing the development of cyber-crime law. This is in addition to the data protection and access to information legislation currently under review while development of policy and legal framework for child online protection is on-going. The Government through the Communication Authority of Kenya continues to regulate broadcasting of content through the cyber network.
133. The security agencies have been tracking, in conjunction with other government agencies, the operations of all suspected individuals and where necessary, the financial operations of such persons have been frozen to allow for thorough investigations.
134. The Government has continued to revamp judicial measures to deal with cyber-crime in various government institutions through enhanced capacity building. These include the Communication Authority of Kenya, National Police Service Cyber Crime unit and the Office of the Director of Public Prosecution cyber-crime prosecution division and the National ICT Authority.

## **2.18 Money laundering**

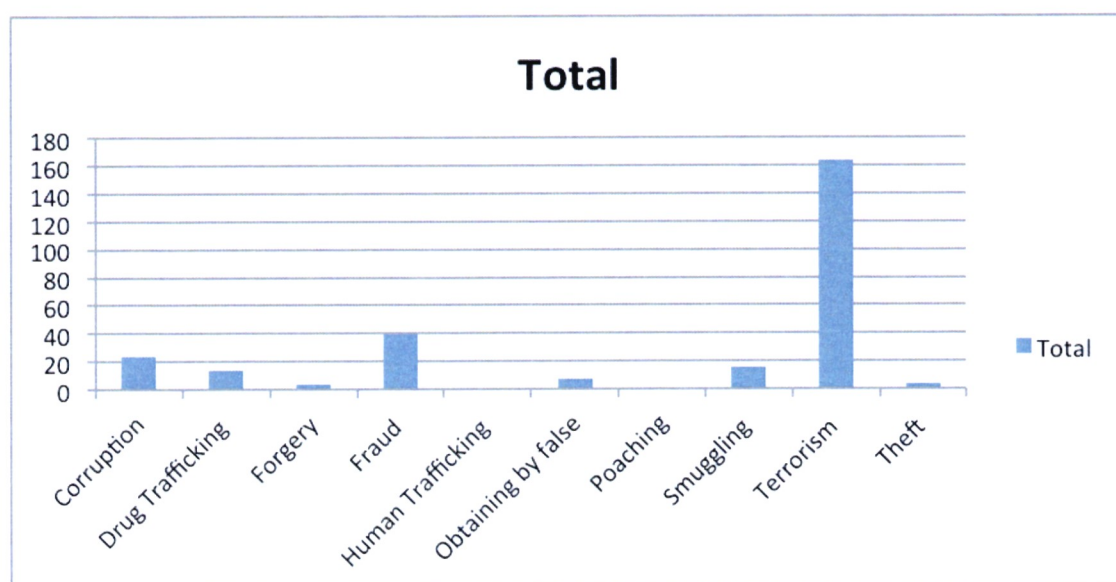
135. Money laundering has continued to threaten Kenya's economy and undermine competitiveness of various economic sectors as criminals use the avenue to clean their ill-gotten wealth. Money laundering and terrorism financing are closely related and the two vices pose a serious threat to the integrity and stability of the country's financial and security systems. Criminals through drug dealing, corruption, accounting fraud and tax evasion generate the money involved. The integration of laundered funds into Kenya's financial system provides an enabling environment for organized crime, fuels corruption as well as erodes the rule of law.
136. The Government established the Financial Reporting Centre (FRC) under Section 21 of Proceeds of Crime and Anti-Money Laundering Act, 2009 (POCAMLA), to assist in the identification of the proceeds of crime and the combating of money laundering and terrorism financing. Through the FRC, the Government has enhanced its capability to combat terrorist financing through the Prevention of Terrorism Act, 2012 (POTA) where persons and financial institutions are encouraged to report any property, account or transactions by terrorists.
137. During the year under review, the FRC received 725 Suspicious Transaction Reports (STRs) from various reporting institutions in line with POCAMLA and POTA provisions. There was an increase in filing of the STRs in 2015 compared to previous years. This is attributed to amongst others, increased awareness and compliance by reporting entities following measures instituted by the FRC including, training of compliance officers from reporting entities, holding of sensitisation seminars with both reporting institutions and

regulatory bodies. Further, FRC filed 164 terrorism related reports to various security agencies that led to freezing of accounts of some individuals and entities.

**Table 4: Number of money laundering reports disseminated by FRC to law enforcement agencies in 2015**

	Predicate Crimes	Total
1.	Corruption	24
2.	Drug Trafficking	14
3.	Forgery	4
4.	Fraud	39
5.	Human Trafficking	1
6.	Obtaining by false pretences	7
7.	Poaching	1
8.	Smuggling	16
9.	Terrorism	164
10.	Theft	4
11.	<b>Grand Total</b>	<b>274</b>

*Source :Financial Reporting Centre*



**Figure 4: Prevalence of money laundering related crimes**

*Source: Kenya Police Service*

138. The Government faced several challenges in the fight against Money Laundering and Terrorist Financing (ML/TF) during the year under review. They include;

- New global technological changes which makes money laundering and terrorist financing more complex,



- Low public participation,
- Transnational nature of Money Laundering and Terrorism Financing,
- Kenya is largely a cash based economy. Dealing in cash leaves little or no audit trail,
- Alternative money remittance systems. Use of informal money remittance systems makes it difficult to track the movement of money and/ or to collect data.

139. The Government endeavours to create more awareness on AML/CFT among designated non-financial businesses and professions including the general public and acquisition of modern ICT systems to enhance the speed of data processing and enhance the quality of analysis and preparation of reports. It will continue to build the capacity of its institutions and widen the scope of cooperation with other agencies internationally, with a view to curbing the proliferation of financial crimes, which pose a security threat to the Country.

## **2.19 Environmental degradation**

140. Protection of the environment is central in maintaining the country's natural ecosystem. The Government is committed to the efficient and effective utilization and management of natural resources. However, the Government faces several challenges which include; population pressure, overgrazing, unsustainable agricultural practices, soil degradation and erosion, natural disasters, deforestation and bio-diversity threats, and air/water pollution, which undermine national resource base and security.

141. Other threats to the environment include illegal logging, illegal settlements, cross border transfer of forest produce, illegal grazing, unregulated charcoal making and dumping of toxic waste and other hazardous material. For instance, in 2015, over 3,000 families encroached and settled on forestland illegally in the Mau and North Rift conservancies. The affected areas were Ol posmoru in Narok and Embobut in Keiyo Marakwet Counties.

142. Similarly, rapid industrialization has greatly increased the scale and intensity of exploitation of natural resources and environmental degradation, generating greater concern and need for action by the Government and the private sector. In the medium and long-term, confrontation and disputes over natural resources among communities threaten harmonious co-existence and national security.

143. The Government implemented a program that facilitated the removal and resettlement of the illegal settlers in forests recovering over 25,000 hectares currently under rehabilitation. Further, the government through Kenya Forest Service (KFS) entered into a bilateral agreement with Tanzania Forest Service to combat illegal cross border transfer of forest produce and enhanced monitoring and control measures. In the year 2015, Government increased the capacity of KFS to secure forest areas through recruitment and training of 200 additional rangers.

144. The Government will continue to engage in multilateral negotiations with neighbouring states to manage cross border environmental crimes and put in place mechanisms all aimed at environmental conservation, prudent utilization and management of our resources.

## **2.20 Disasters**

145. The Country has faced a number of disasters and emergencies over the years. Aggravating natural disasters are human-made crisis such as deforestation, oil spills, water and power supply crisis among others. These disasters and crises cause public anxiety, loss of lives and destruction of property and sometimes socio-political instability.

146. The Government through the National Disaster Operation Centre is involved in emergency assistance to disaster victims in various parts of the country resulting from disasters. Through the Task Force on El Niño Preparedness and Response, the country was able to raise awareness levels and sensitization of the whole population, besides employing appropriate measures to mitigate the negative impacts that would otherwise have had adverse consequences, including death.
147. The Government will mainstream disaster risk reduction measures in all policies, plans and programmes. It will also liaise with the international community in mitigation, awareness campaigns, preventive and response measures against disasters. It will further invest on early warning systems to monitor emergencies so as to put measures in place to mitigate in advance.

## **2.21 Regional Instability**

148. Most of Kenya's neighbouring countries continue to experience security challenges, which have serious implications on the country. Some of these implications include proliferation of small arms and light weapons, influx of refugees, smuggling of goods, trafficking in persons and negative impact on trade and investment. The Government continues to support peaceful resolution of conflicts and promote sustainable peace by collaborating with regional institutions such as the East Africa Community, the Intergovernmental Authority on Development, the International Conference of the Great Lakes Region and the African Union.

### Democratic Republic of Congo (DRC)

149. The Great Lakes Region continues to experience various security challenges. This includes the continued existence and operation of negative forces in Eastern DRC, which pose significant threat to peace, and stability in the region. However, through regional efforts the Northern Kivu is currently stable.
150. Under the International Conference on the Great Lakes Region (ICGLR) as well as the Peace, Security and Cooperation (PSC) Framework, Kenya has continued to advocate for the resumption of collaboration between the Government of DRC and the UN Stabilization Mission in Democratic Republic of Congo (MONUSCO/United Nations Force Intervention Brigade (FIB) in the fight against the FDLR.

### Burundi

151. Burundi is experiencing a political crisis following the decision by the incumbent President H.E. Pierre Nkurunziza to run for a third term. This followed the decision by the Constitutional Court that he was eligible to run for elections.
152. The East African Community (EAC) has held three (3) Summits on Burundi to facilitate a return to peace and normalcy but the situation remains fragile. The Government has also engaged the Government of Burundi bilaterally to resolve the current political crisis. The Government has relied on the goodwill Kenya enjoys as a result of the historical role the country has played in promoting peaceful resolution of conflicts to reach out to the warring parties and other stakeholders in Burundi. In this regard, H.E the President has sent special envoys including Dr. (Eng) Karanja Kibicho to Burundi to appeal for calm and a cessation of the violence.
153. Political stability in Burundi is important for Kenya's development. As a result of Kenya's positive contribution during the crisis, the Government of Burundi has sorted out all pending problems facing Kenyan investors.



## Somalia

154. It is Kenya's strong desire to have a peaceful, stable and prosperous Somalia because Somalia's security is inextricably linked to the security and stability of the Kenyan nation. In pursuit of this goal, the Government continued to champion Somalia's case internationally through systematic and sustained engagement with all actors working to achieve peace in Somalia. As long as Somalia remains unstable, it will provide conditions conducive for operations of terror groups such as Al-Shabaab.
155. In pursuit of the desire to attain peace and security, the Government continues to work with regional and continental actors within the auspices of IGAD and the AU to attain a common regional understanding of the challenges within the region and has consistently called for support for and solidarity with Somalia by the international community.
156. The Government has participated in preparations for meetings of the AMISOM Troop and Police Contributing Countries to review the AMISOM operations in Somalia. Through joint military campaigns by AMISOM, the Somali National Army (SNA) and international partners, significant gains have been made as a result of which Al-Shabaab has not only lost territory but its resources have also significantly declined.
157. As a result of engagement by the Government and other international partners, Somalia has registered remarkable political and economic achievements. Key institutions of the State such as Parliament, the Presidency and the Judiciary are relatively functioning.

## South Sudan

158. Following the political crisis that occurred in South Sudan in December 2013, IGAD Heads of State and Government, initiated a peace process aimed at aiding South Sudan towards reaching an amicable resolution of the crisis.
159. Kenya's leadership in resolving the crisis was demonstrated by the high level engagement of H.E the President who held meetings and engaged all the actors in the South Sudan peace process, leading to the signing of "The Agreement for the Resolution of the Conflict in the Republic of South Sudan" between the Sudan People's Liberation Movement / Army in Opposition (SPLM/A-IO), SPLM Leaders (Former Detainees) and the Government of South Sudan on 17th August, 2015 and 26th August, 2015.
160. Kenya's long term strategy is geared towards supporting the people and the Government of South Sudan in their efforts towards State formation following their independence from The Sudan on 9th July 2011. The South Sudan conflict is of great concern for Kenya because it not only affects Kenya's security but also trade and investments. Kenyans, both corporate and individuals have invested in South Sudan and the presence of conflict jeopardizes their investments.

### **2.22 Corruption**

161. In the year under review, malpractices were reported in both private and public sectors compromising efficiency and effectiveness in management of national security among other sectors. In this respect, His Excellency the President on 20th November, 2015, while receiving the report of the Task Force on the Review of the Legal, Policy and Institutional Framework for Fighting Corruption in Kenya, declared corruption as a standing threat to national security and directed all security agencies to focus more efforts on transformation. He further directed the National Intelligence Service to pursue information and intelligence on corruption and bring it to the attention of the relevant investigating and prosecution bodies.
162. Following the recommendations of the Taskforce on the review of the legal, policy and institutional framework for fighting corruption in Kenya, the Asset Recovery Agency

(ARA) was operationalized under the Proceeds of Crime and Anti money Laundering Act of 2009. The ARA has succeeded in freezing and confiscation of assets from the illegal transactions.

163. The Financial Recovery Centre (FRC) also played its part in the fight against corruption and was able to disseminate 24 corruption related intelligence reports together with 39 fraud cases detected at national and county levels to the EACC and the Director of Criminal Investigations for further investigations and prosecutions. The FRC efforts are in line with measures being put in place by the government to combat corruption in the public sector.



### **3. MULTI-SECTORAL INTERVENTIONS TO IMPROVE NATIONAL SECURITY**

164. The Government is implementing multi-sectoral interventions involving various ministries, departments and agencies as well as non-state actors to address matters of security in the country. These interventions include:

#### **3.1 Enhancement of efficiency within the National Security Architecture**

165. The Government has improved the efficiency of committees within the National Security Council architecture. The eight committees (*National Security Advisory Committee, Joint Regional Security Committee, Region Security and Intelligence Committee, County Security and Intelligence Committee, Sub-County Security and Intelligence Committee, Division Security and Intelligence Committee, Location Peace and Security Committee and Sub-location Peace and Security Committee*) were provided with guidelines on their operations, linkages and reporting mechanisms.

166. This initiative has facilitated marked improvement in management of peace and security threats across the Country.

#### **3.2 Review of security sector related legislation**

167. The Government has constantly reviewed security sector related legislation to align it with the country's security needs. The protection of this nation has been greatly aided by the enactment of Security Laws Amendment Act, 2014. This Act closed the many gaps that existed in our laws affecting national security.

168. The Prevention of Terrorism Act, 2012, Proceeds of Crime and Anti-Money Laundering Act, 2011 and Prevention of Organized Crime Act, 2010 continue to provide the required legal framework to prosecute acts of terrorism. Further, the National Assembly passed the 2013 Finance Act containing amendments to the 2012 Prevention of Terrorism Act that strengthened Kenyan legal provision criminalizing the financing of terrorism.

#### **3.3 Collaborative Approach**

169. The Government adopted a multi-agency approach to terrorism and counter terrorism involving the National Police Service, National Intelligence Service, Kenya Defence Forces, National Counter Terrorism Centre (NCTC) and Office of the Director of Public Prosecution. The National Security Council is in the process of strengthening the capacity of the NCTC and so far a Director has been appointed. For instance, the Government in September 2015 launched "Operation Linda Boni" which has gone a long way in securing our border areas in North Eastern and Coast Regions that are most vulnerable to terrorist attacks. The main aim of this operation is to flush out terrorist elements that had been using the forest as cover to launch attacks on innocent Kenyans and government officers.

170. The operation also seeks to enhance governance structures such as national administrative units, National Police Service, Kenya Wildlife Service and Kenya Forest Service in the vast Boni Forest. The operation will also cover transport and communication infrastructure through construction of access roads and mobile phone masts to facilitate connectivity. Essential services such as health, education and water will also be availed to the communities living in the areas along the borders.

171. The Government is securitizing the Kenya Somalia border to curb cross border terror activities, proliferation of small arms, contraband and aliens. The initiative seeks to establish well manned and controlled entry points and seal off illegal entry points.

#### **3.4 Integrated Command and Control Centre**

172. The Government has established and operationalized a multi-agency Integrated Command and Control Centre and a 24 hour call center domiciled at the National Police

Service headquarters for the improvement of information-sharing and coordination amongst the various actors in the security sector. The emergency numbers 999 & 112 are now fully operational. This has enabled the Government to effectively employ technology in managing security.

173. The Government invested in the Integrated Command and Control Centre to provide real-time information for timely decision making. Since the installation of the system, Kenya has recorded a major improvement in crime prevention and detention. In particular, there has been a notable achievement in response to emergency calls, incident detection and general response to reported incidents of crimes.

### **3.5 Police Modernization Programme**

174. The ongoing police reforms have improved the public confidence in the National Police Service through the increased collaboration, information sharing and partnership. The reforms are multifaceted comprising of policy, legislative, institutional and administrative programs.

175. Through the police modernization program the government strengthened the capacity of the National Police Service by acquiring a total of 2,220 assorted vehicles, which have more than doubled police visibility on the ground. Equally, the Police Airwing has been modernized in order to improve our air support capability. To this end, two helicopters were taken for complete overhaul, while a new helicopter was procured. This will sharply improve the ability to quickly move security officers to any trouble spot within the Country.

176. In order to provide protected mobility to officers deployed in volatile areas, the National Police Service has been provided with Armoured Personnel Carriers (APCs) and protective gear.

177. On police housing, 2,402 units have been procured and it is envisaged that the Government will procure 20,000 units annually for the next five years. On police welfare the government has provided a Group Life Insurance cover to cushion the families of officers in the unfortunate event of losing their loved ones. To improve police-population ratio, which currently stand at 1: 410, the Government recruited, trained and deployed 10,000 police officers. An additional 10,000 police officers will be recruited in this year.

### **3.6 Reforms in the National Administration**

178. Reforms have been implemented in the National Government Administration to enhance coordination of National Government functions. These reforms include; development of the National Government Coordination Act (General Regulations), review of the scheme of service for administrative officers and improved mobility through provision of vehicles and motor cycles. There has also been improvement in work environment through construction of modern offices and residential units and cascading of funds down to Assistant Chiefs.

### **3.7 Reforms in Immigration Services**

179. To enhance national security and improve immigration service, the government has digitized most immigrations operations. These include introduction of the cashless payment system, border management and online applications for passports, visas, permits and passes.

180. Digitization will improve efficiency and service delivery in access, retrieval, storage and processing of various immigration services such as issuance of passports, work permits and visas. It will also facilitate investigations and prosecution of immigration related irregularities and offences, issuance of citizenship to foreigners and make data available for multiple user categories.



181. The government is in the process of upgrading its passport system as per the East African Community Heads of State Tripartite agreement to internationalize the East African passport and adopt e-Passport regime. The e-Passport is based on a chip technology with enhanced security features aimed at minimizing passport fraud.

### **3.8 Correctional Services**

182. Kenya Prisons Service plays an important role in maintenance of public security in partnership with other security agencies. During the period under review, the department enhanced safe custody of inmates, carried out rehabilitation and reformation programs, facilitated administration of justice, treatment of young offenders in Borstal Institutions and the Youth Corrective Training Centre.
183. The department has instituted measures to minimize possibilities of radicalization and possible recruitment of offenders into terror groups. The department has enhanced its reintegration programme in collaboration with other stakeholders to address the challenge of recidivism amongst ex-convicts, which promotes public safety in the long run. Educational and vocational training programmes have been up scaled to allow the inmates to acquire knowledge and skills that are necessary for their quick reintegration into the society.
184. The prisons department has completed the procurement and installation of new motorised vehicle number plate production machines. The new number plates will have enhanced security features that will facilitate the identification of motor vehicles and their owners in real time. This is expected to reduce motor vehicle related crimes.
185. As part of continuing reforms, the department has established the first girls Borstal Institution in the country at Kamiti maximum prison, to cater for girl offenders aged between 15 to 18 years.

### **3.9 Peace Building and Conflict Management**

186. Through the National Steering Committee on Peace building and Conflict Management, the government has supported and conducted capacity building for state and non-state actors in conflict prevention, management and resolution; mediation, dialogue and negotiation; conflict sensitive programming and integrating gender in peace building.

### **3.10 Citizens Participation in Security**

187. National security is highly dependent on the participation, engagement and partnership of the citizens with Government Policing Agencies. The Government, in the last two years has been implementing Nyumba Kumi/Usalama wa Msingi initiative through which citizens have been encouraged to form clusters through which they can address human security issues affecting them. Over 300,000 clusters have been established across the country. To ensure that this initiative takes root, the Government has been carrying out citizen participation capacity building programmes at individual Government departments and corporate levels by encouraging citizens through the security mantra “See say...hear say...suspect say” (*Ukiona Sema...Ukisikia Sema...Ukishuku Sema*). This initiative, therefore invites all citizens to own their security as a first line of defense.
188. Going forward, the Government intends to pursue the development of legal provisions to anchor duties and responsibilities of citizens in law, completion of the Community policing Policy and National crime Prevention Strategy and inclusion of citizen participation in security in the formal education curriculum.



### **3.11 The Integrated Population Registration System (IPRS)**

189. The Integrated Population Registration System (IPRS) was officially launched on 11th March, 2015 to bring together several population databases into a single National Population Master Database for ease of verification of identity.
190. The source of these data is registration agencies that are mandated by law to register persons, issue identification documents and preserve the records for future references. These registration agencies include the Civil Registration Department (for births and deaths), National Registration Bureau (for national identity cards), Department of Immigration (for passports and alien registration), Registrar-General (for marriages), National Social Security Fund and the National Hospital Insurance Fund, among others.
191. At the moment the IPRS data base holds up to 35 million records from the primary registration agencies.

### **3.12 Operationalization of the Asset Recovery Agency**

192. In order to strengthen the policy, legal and institutional framework for fighting corruption in Kenya, the Asset Recovery Agency (ARA), a semi-autonomous body under the Office of the Attorney General was operationalized under the Proceeds of Crime and Anti Money Laundering Act (POCAMLA) to recover proceeds from all crimes including persons running fraud schemes, drug traffickers, terrorism financing, wildlife traffickers and human traffickers. The ARA has frozen and confiscated assets from transactions associated with corruption.

### **3.13 Integrated Border Management Programmes**

193. Through security laws amendment act 2014, the government amended the Kenya Citizenship and Immigration Act 2011 to create the Border Control and Operations Coordination Committee (BCOCC) whose Principal role is to formulate Policy framework on Coordinated Border Management in Kenya. The BCOCC will facilitate rolling out of harmonised border point management offices.

#### **(a) Security Governance Initiative (SGI)**

194. The Security Governance Initiative (SGI) is a programme between the Government of the United States of America and the Governments of Kenya that was signed during the visit by the president of the United States on America in 2015, focusing on three areas, namely; border management; police human resource management; and the administration of justice.

#### **i. Border Management**

195. Through this joint programme the Government seeks to achieve the following objectives;

- Develop and implement the Kenya Border Management Strategy. This strategy will include the following elements:

The overall strategic vision for border management includes;

- ✓ Identification of the lead agency that will have the authority to provide command and control for an integrated border management system.
- ✓ Identification of the supporting agencies for border management.
- ✓ Roles and responsibilities for each agency involved in border management.
- ✓ General identification of resources to include budgetary, human and material.
- ✓ Legal and statutory bases for border management.

- ✓ Directives on creating SOPs.
- ✓ Identify measures for capacity building.
- ✓ The reaffirmation of International boundaries
- Develop key border security infrastructure for land, air, maritime and rail.
- Relevant agencies plan for and execute the vetting and training of personnel for border management.
- Enhance cross-national border cooperation and agreements and understandings through regional bodies.
- Strengthen positive government presence in border areas through outreach to local leaders and development of socio-economic projects with local border communities.

#### **ii. Police Human Resource Management**

196. The desired end state in this focus area is to increase the effectiveness and efficiency of the National Police Service by developing and enforcing consistent and transparent policies for human resource management, including recruitment, training and appointment, transfer and promotion, and discipline.

#### **iii. Administration of Justice**

197. The desired end state for the Administration of Justice is to enhance the efficiency, accountability and professionalism of the Kenyan judicial system in order to improve public confidence and ensure Kenya does not become a safe haven for criminals. A more efficient and effective judicial system will equitably adjudicate matters before it; establish clear roles and responsibilities for and strengthen the capacity of judicial actors/institutions; and establish and sustain an integrated system for managing data across agencies to monitor and ensure accountability to constitutional mandates.

198. This programme is on track and we believe it will go a long way in improving various aspects of security and Criminal Justice System in entirety.

#### **(b) Regional workshop on the horn of Africa of the UNCCT-GCTF border security initiative**

199. Kenya has been participating in a series of workshop convened by united national counter-terrorism coordinating committee and the global counter terrorism forum. These forums have been held in Morocco, Australia and Austria and Kenya in December 2015, providing the platform for sharing best practices to develop a common border security and management template that would help all state in the world. Some points of convergence so far are that;

- Cooperation between State services involved in border management should be enhanced through information exchange and sharing good practices.
- Border management strategies should be developed in consultation with relevant international, regional and multilateral organizations.
- Communities living in border areas should be a central part of all border management strategies .i.e. community policing models for border security and management.
- Procedures should be strengthened to ensure non-refoulement and prevention of terrorists from obtaining refugee status.

**(c) The Counterterrorism Implementation Task Force (CTITF) border control working group initiative on the development of a coordinated border management framework**

200. The Counterterrorism Implementation Task Force (CTITF) under the auspices of the United Nations Counterterrorism strategy has also had a number of forums across the globe with the latest one taking place in Nairobi Kenya 1-2 December, 2015 at the Safari Park Hotel, Nairobi. The conference was aimed at developing measures to prevent and combat terrorism including border and transportation security by building states' capacity in this regard. So far the following lessons have been learnt and the government is working with the relevant stakeholders to address them;

- Movement of terrorists and the illicit trafficking of sensitive or controlled goods present significant border challenges.
- Effective and coordinated border management measures can minimize the risk that terrorists or traffickers will cross international borders illegally.
- Border security measures must respect the need to maintain a proper balance between security control and facilitation of legitimate travel and trade.
- Effective border management system require dedicated resources and coordinated response by relevant authorities
- States should develop a framework for coordinated border management that focuses on the activities of border-control agencies during the three phases of a border crossing (pre-arrival, arrival and post clearance).

**(d) International Boundaries Management**

201. Due to Kenya's expansive borders with disputes reported in some of them, the government during the year under review established the Kenya's International Boundaries Office (KIBO) to spearhead and coordinate all Government efforts toward securing and managing of our international border. The office is anchored in the Presidency to ensure effectiveness.

**3.14 Inter-agency collaboration in investigation and prosecution**

202. Government Departments and Agencies in prosecution and investigation sustained collaboration in the discharge of their functions through Prosecutor- Led Investigation Model.

203. The joint training programmes centered mainly on complex emerging crimes such as terrorism, cyber-crime and other organized crimes were mounted during the year under review.

**3.15 Multi-agency team on eradication of Corruption**

204. A multi-agency team comprising of the Asset Recovery Agency, Directorate of Criminal Investigations, Ethics and Anti-Corruption Commission, Banking Fraud Unit of Central Bank of Kenya, Financial Reporting Center, Kenya Revenue Authority, Directorate of Public Prosecution and the Mutual Legal Assistance Central Authority in the Office of Attorney General has been established to facilitate a sustained coordination mechanism for Investigation, Prosecution Asset Tracing and Recovery of corruption proceeds. The Multi Agency Team had demonstrated unprecedented unity of action in tackling the bane of corruption.

205. Since its establishment in November 2015, the team has strategically used the strengths of the various institutional mandates to jointly trace and freeze assets, investigate corruption incidences and bring to prosecution the perpetrators of corruption including cases such as the National Youth Service saga, the ivory shipment cases and the



contraband sugar, rice and ethanol cases. Over 350 prosecution cases were initiated through these interventions, a record achievement in the history of Kenya's anti-corruption interventions. Many of these cases relate to some of the highest-ranking members of government. Under the personal leadership of H.E. the President, the multi-agency team made periodic reports on progress and defines strategic action on high profile cases of national interest.

206. The Government remains committed to further championing the ethics and integrity interventions initiated and reignite the inherent values and ethos of our African culture that celebrated integrity, fairness, honesty, excellence, respect and discipline – which values should form the greatest part of our nation's identity kit. In view of the supply and demand nature of corruption, it is the government's desire that every Kenyan makes deeper and more personal commitment to a common binding code - one that promotes integrity and ethical conduct.

### **3.16 Regional and International Initiatives**

#### **(a) Mutual Legal Assistance Framework with Foreign Governments**

207. The Government continued to cooperate with other states in providing legal assistance in both criminal and civil matters. The government concluded Extradition and Mutual Legal Assistance (MLA) agreements with the government of Italy, which establishes the procedures and requirements for interstate assistance in criminal matters.

208. Exploratory mutual legal assistance engagements are also being undertaken with the governments of the United States and China. These will supplement a larger framework of MLA agreements already in place with various other countries across Africa, Europe and Asia.

209. Further, the government facilitated reviews of various agreements of national security interest including the Defence Cooperation Agreement between Kenya and the United Kingdom among others.

#### **(b) East African Community Protocol on Cooperation in Defence Affairs**

210. To further promote peace, security and stability in the East African region, on 7th October 2015 the Government ratified the East African Community Protocol on Cooperation in Defence Affairs signed on 28th April 2012. The Protocol provides for cooperation in military training, joint operations and to promote and implement peace building and post conflict reconstruction activities to consolidate peace and prevent the resurgence of violence.

#### **(c) Agreement on the establishment of the Eastern Africa Standby Force (EASF).**

211. On 7th October, 2015 the Government ratified the Agreement on the Establishment of the Eastern Africa Standby Force which was signed by the Governments of Burundi, Comoros, Djibouti, Ethiopia, Kenya, Uganda, Seychelles, Somalia, Sudan and Rwanda on 26th June, 2014. The Agreement establishes an operational structure that would enable member states respond in a timely manner to conflicts in the East African region. The headquarters of the East African Standby Force secretariat is in Nairobi.

#### **(d) Mutual Peace and Security Pact**

212. On 4th November 2015, the Government ratified the Mutual Peace and Security Pact signed on 20th February, 2014 under the auspices of the Northern Corridor Integration Project among the governments of the Republics of Kenya, Rwanda and Uganda. The Pact establishes a framework for combating crime in order to contribute towards collective peace and security among the Partner States.

213. Implementation of the pact will strengthen cooperation and coordination amongst respective institutions of the partner states in areas of conflict prevention, management and resolution, prevention of genocide, combating terrorism, control of proliferation of illicit small arms and light weapons, transnational crimes, peace and support operations as well as disaster risk reduction, management and crisis response.
214. As part of the measures taken by the partner states to implement the pact, the Joint Intelligence Centre (JIC) was launched in June 2015 and is hosted in Nairobi. JIC was established to monitor and address threats posed by terrorist groups and to coordinate sharing of information on security and intelligence matters.

**(e) Mutual Defence Pact**

215. On 7th October 2015, the government ratified the Mutual Defence Pact between the governments of the Republics of Kenya, Uganda and Rwanda signed on 20th February 2014. The pact establishes and operationalizes a framework for mutual defence and provides that threats to national security including armed attacks against a partner state shall be considered threats to regional security and such threat shall be met with immediate collective action by all partner states.

**(f) Other Bilateral Engagements**

216. The Government continues to engage with other countries bilaterally to promote sustainable peace and socio-economic development in the region. For instance on 7th December 2015 the Governments of Kenya and Ethiopia signed a Memorandum of Understanding (MOU) in support of the Cross-Border Integrated Programme for Sustainable Peace and Socio- Economic Transformation. The MOU is to strengthen cross border relations between the two countries. The respective National Governments in coordination with the County Governments and Regional Zones will work together to identify the causes and impacts of conflict to improve conflict prevention, management and resolution capacities of the communities.

#### 4. CONCLUSION

217. The efforts put in the year under review enabled the country to record remarkable gains across most of the sectors. In the years to come, the Government intends to build on the lessons learnt and gains made in the previous years to sustain Kenya's socio-economic development momentum. In this respect, the Government will focus more on a number of concerns that militated against provision of quality security services. In this regard, the Government will dedicate sufficient resources to improve border management systems to reduce Kenya's vulnerability along its borders with neighbouring. Further, the National Security Council will provide the National Counter Terrorism Centre with enhanced capacity to study the local and international dynamics of terrorism and develop appropriate counter strategies with conjunction with other national security organs.
218. On public order, peace and security, the Government will continue to enforce Public Order and Electoral Laws to make leaders and their supporters liable for their utterances and actions that may compromise peace and security. The Government will also work closely with leaders, Faith Based Organizations and other non-state actors in various peace forums to facilitate an environment of peace and tranquillity.
219. On refugee matters, the Government will engage with the relevant actors to fast track the repatriation and reintegration of Somalia refugees as a way of stabilizing security in the refugee hosting areas and Somalia.
220. Regionally, we shall continue to play our central role in seeking peace and stability in the neighbouring countries to create a conducive environment for regional trade and development.



## **5. ANNEX**

### **List of Ministries, Departments and Agencies which contributed to the development of this Report**

1. Ministry of Interior and Coordination of National Government
2. Ministry of Foreign Affairs and International Trade
3. State Law Office
4. State Department of Planning
5. National Police Service
6. Kenya Defence Forces
7. National Intelligence Service
8. Kenya Revenue Authority
9. Directorate of Immigration Services
10. Kenya Prison Services
11. National Counter Terrorism Centre
12. Directorate of Refugee Affairs
13. Kenya Wildlife Service
14. Kenya Forest Service
15. Peace Building and Conflict Management Division
16. Kenya Focal Point on Small Arms and Light Weapons
17. Taskforce on Community Policing
18. National Disaster Operation Centre
19. Office of the Director of Public Prosecution
20. Kenya International Boundaries Office
21. Anti-Counterfeit Agency
22. Finance Reporting Centre
23. National Environment Management Authority
24. Kenya Airport Authority
25. Kenya Civil Aviation Authority
26. Kenya Ports Authority
27. Kenya Maritime Authority

