An Examination of the Challenges the National Police Service (NPS) Face in Counter Terrorism (CT) Within Nairobi City County, Kenya

Silvia K. Vundi, State Department of Devolution, Kenya

Alex C. Chepsoi, Masinde Muliro University of Science and Technology, Kenya

Frank K. Matanga, Masinde Muliro University of Science and Technology, Kenya

ABSTRACT

Terrorism become a central and controversial issue of global attention. In Kenya, the capacity of the National Police Service (NPS) in counter terrorism (CT) significantly increased from August 1998 when Al-Qaida bombed the United States of America embassy in Nairobi. In spite of this, terrorist attacks have continued in the country. The objective of the study was therefore to establish the challenges the NPS face in CT. The study employed a descriptive survey research design. The study site was Nairobi County, Kenya. Both the probability and non-probability strategies were employed in the study. Data were collected from a sample of 311 respondents using semi-structured questionnaires and interview guides. Data analysis used both qualitative and quantitative techniques. The study established that NPS faced a myriad of challenges that hindered her effectiveness in CT. The study recommends that the NPS should increase the capacity of her officers by addressing the skills, resources, and expertise gaps to improve their effectiveness CT.

KEYWORDS

1. INTRODUCTION

Terrorism remains a major threat to national, regional, and international peace and security. According to the Global Terrorism Index (2016), there has been a continuing rise of terrorism in the world, which is a cause for serious concern today. In the United States of America (USA), the federal government has adopted a series of counter-terrorism (CT) measures since September 11, 2001, when the Twin Towers in York and Pentagon Building in Washington DC were attacked by terrorists. The United States of America (USA) Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (PATRIOT) enhanced the capacity of police and other security agencies to redefine terrorism, conduct surveillance, gather intelligence and determine crimes and penalties (Chang, 2003). USA also created the Office of Homeland security, which aims to develop and coordinate the implementation of a comprehensive national strategy to secure the USA from terrorist threats or attacks (Kuto, 2004).

Before the September 11 attack, the European Commission (EU) had created a special CT preparatory group in 1997 to formulate European police (Europol) (Mathieu, 2006). The Treaty of

Amsterdam extended Europol mandate to include CT tasks (Rauchs and Koenig, 2006). Europol's CT mandate was further expanded to gain the authority to ask police forces of EU to launch investigations and to share information with the USA Federal Bureau of Investigations (FBI) (Ratzel, 2007) and other third parties, including Interpol and other professional police organizations, as well as police of non-EU states (John, 2009).

In India, instruction of the Prevention of Terrorism Ordinance broadens the definition of terrorism and empowers law enforcement agencies to investigate and punish terrorist activities (Kalhan, 2006). In Africa, continental efforts in preventing and combating terrorism have a long history. In 1992, the Organization of African Unity (OAU) (now Africa Union -AU), meeting at its 28th Ordinary Session, held in Dakar, Senegal, adopted a Resolution on the Strengthening of Cooperation and Coordination among African States in which the Union pledged to fight the phenomena of extremism and terrorism (Cilliers and Sturman, 2004). At its 30th Ordinary Session held in Tunis, Tunisia, on June 1994, the OAU adopted the Declaration on the Code of Conduct for Inter-African Relations in which it rejected all forms of extremism and terrorism, whether under the pretext of sectarianism, tribalism, ethnicity or religion. The declaration also condemned, as criminal, all terrorist acts, methods and practices, and expressed its resolve to enhance cooperation to combat such acts.

These efforts culminated in the1999 OAU Convention on the Prevention and Combating of Terrorism adopted by the 35th Ordinary Session of the OAU Summit, held in Algiers, Algeria, on July 1999. The Convention requires that States Parties criminalize terrorist acts under their national laws as defined in the Convention. It defines areas of cooperation among states, establishes state jurisdiction over terrorist acts, and provides a legal framework for extradition as well as extra-territorial investigations and mutual legal assistance. The Convention entered into force in December 2002 and to date, 40 Member States have ratified it (AU, 2002).

As part of the implementation of the 2002 Plan of Action, the African Centre for the Study and Research on Terrorism(ACSRT), was established in 2004 in Algiers to serve as a structure for centralizing information, studies and analyses on terrorism and terrorist groups and to develop Counter-Terrorism capacity building programmes (Makinda,2003). The ACSRT also provides a forum for interaction and cooperation between the Member States and Regional Mechanisms. The Centre plays an important role in guiding the AU's CT efforts and works in collaboration with a number of regional and international partners to ensure coherent and coordinated CT efforts in the continent (Cilliers and Sturman, 2004).

Central in CT is the police. In Kenya, the influence of the National Police Service (NPS) in CT increased significantly in Kenya when the US embassy was bombed in August 1998. Following the bombing, the National Intelligence Service (NIS) was established and Kenya was added to the United State Anti-Terrorism Assistance Program (USATAP) (Mogire & Agade, 2011). The addition to USATAP was largely a formality and no significant funding was dispersed until several years later (Aronson, 2013). This was, nevertheless, a statement made by both America and Kenya to reiterate their joint fight against terrorism. Since 2002, The USATAP has trained more than five hundred Kenyan Security officials in the USA and many more in USA in designated training facilities throughout East Africa (Ploch, 2010). The Kenyan Government has also created an Anti-Terror Police Unit (ATPU), a Joint Terrorism Task Force (Aronson, 2013), a National Counter-Terrorism Centre, and a National Security Advisory Committee.

Inspite of all these efforts, terrorism is a challenge for law enforcement in Kenya. Over time, it has been mutating to the extent that law enforcement agencies have to keep well-informed development in terrorism networks (Aronson. 2010). Despite efforts in CT since 1998, Kenya has witnessed subsequent attacks. These include the Kikambala bomb attack on 28th November 2002 in Mombasa County, which resulted in 13 deaths; Westgate Mall attack on 21st September 2013 where 67 lives were lost and Garissa University attack where over150 lives were lost (David and McKnight, 2015). Given the continued evidence of terrorist activities in Kenya inspite of government's efforts in CT, the current study averred that, the CT measures put in place in Kenya since 1998 had not realized the

9 more pages are available in the full version of this document, which may be purchased using the "Add to Cart" button on the publisher's webpage: www.igi-global.com/article/an-examination-of-the-challenges-the-national-police-service-nps-face-in-counter-terrorism-ct-within-nairobi-city-county-kenya/268784

Related Content

Measuring Shared and Team Situation Awareness of Emergency Decision Makers
Yasir Javedand Tony Norris (2012). *International Journal of Information Systems for Crisis Response and Management (pp. 1-15).*
www.irma-international.org/article/measuring-shared-team-situation-awareness/75442

Cybersecurity: The New Challenge of the Information Society
Claudia Canongiaand Raphael Mandarino (2014). *Crisis Management: Concepts, Methodologies, Tools, and Applications (pp. 60-80).*
www.irma-international.org/chapter/cybersecurity/90712

Role of Accounting and Audit in the Recent Financial Crisis
Alev Dilek Aydin (2014). *Crisis Management: Concepts, Methodologies, Tools, and Applications (pp. 1496-1503).*
www.irma-international.org/chapter/role-of-accounting-and-audit-in-the-recent-financial-crisis/90790

Rethinking Ethics Education in Business Schools in the Post-Financial Crisis Epoch: An Icelandic Perspective
Vlad Vaimanand Throstur Olaf Sigurjonsson (2014). *Crisis Management: Concepts, Methodologies, Tools, and Applications (pp. 624-638).*
www.irma-international.org/chapter/rethinking-ethics-education-in-business-schools-in-the-post-financial-crisis-epoch/90739

Navigation Support using Minimal Information as a Supplement to a Digital Map
Björn J E Johanssonand Charlotte Stenius (2015). *International Journal of Information Systems for Crisis Response and Management (pp. 61-79).*
www.irma-international.org/article/navigation-support-using-minimal-information-as-a-supplement-to-a-digital-map/142943