



Royal United Services Institute
for Defence and Security Studies

Emerging Insights

Barriers to Reporting ‘Suspicious Activities’ Evidence from Lamu and Garissa Counties, Kenya

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EXECUTIVE SUMMARY

Since Kenyan troops entered Somalia in October 2011 to launch a military offensive against Al-Shabaab (AS) under Operation *Linda Nchi (Protect the Country)* and up to 2019, it is estimated that Kenya has experienced as many as 600 terrorist attacks.¹ Both the human and economic cost of these attacks has been high – an estimated 1,314 fatalities and \$1.2731 million as of 2019.² The situation has resulted in Kenya being ranked the 20th most at-risk country to terrorism globally in 2021.³ Most of the terror attacks in Kenya are concentrated in the north-eastern (NE) and coastal counties, two of which are the focus of this paper – Garissa and Lamu.

Within the security agencies in particular there has been growing concern that some community members are aware of ‘suspicious activities’ from violent extremist elements in their localities but are often uncomfortable or unsure of how to share information with security agencies before attacks occur. As this paper demonstrates, the term ‘suspicious activity’ is frequently used by security actors and, although highly opaque, seems to communicate unusual activities that perhaps could be associated with the risk of activities related to planning or carrying out illicit terrorism-related activities. However, the implementation of a policy that seeks to identify and report on ‘suspicious activities’ comes with a significant risk of profiling and stereotyping. Essentially, communities are encouraged to report on others with very limited guidance and expertise in reporting, usually a task carried out by the security agencies as opposed to the public.

At the same time, recruitment into violent extremism (VE) and activities associated with supporting the operations of violent extremist organisations in these communities is carried out covertly, and therefore identifying ‘suspicious activities’ is highly problematic and poses numerous risks of increasing internal tensions, as well as exacerbating the risk of retaliation by violent extremist actors. The security system offers limited assurances of support for exposure to such risks. The literature on terrorism has extensively studied the identification of signs of recruitment but with limited results as the processes are individual, making it impossible to generalise.⁴ Recruiters

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1. Institute for Economics and Peace, ‘Global Terrorism Index 2020: Measuring the Impact of Terrorism’, 2020.
 2. *Ibid.*
 3. *Ibid.*
 4. See, for example, James Khalil and Martine Zeuthen, ‘A Case Study of Counter Violent Extremism (CVE) Programming: Lessons from OTI’s Kenya Transition Initiative’, *Stability: International Journal of Security and Development* (Vol. 3, No. 1, 2014); Michael Jones, ‘A Template for the Global South? Understanding the Promises and Pitfalls of Preventing/Countering Violent Extremism in Kenya’, RUSI Emerging Insights Paper, 17 December 2020, <<https://rusi.org/explore-our-research/publications/emerging-insights/template-global-south-understanding-promises-and-pitfalls-preventingcountering-violent-extremism>>, accessed 10 August 2022.

are understood to be sophisticated and may spend a significant amount of in-person time with their prospective recruits, exploiting their vulnerabilities.⁵ The literature confirms that partnership between community members and security agencies in sharing information, including on 'suspicious activities', is a key resource for the successful prevention of terrorism.⁶ However, there is little clarity on what exactly 'suspicious activity' means.

This paper empirically explores how communities have responded to the request of increasing reporting of 'suspicious activities'. More specifically, it explores to what extent community members of Garissa and Lamu counties are aware of 'suspicious activities' in their localities and what role they play in reporting such activities. Given the sensitivities of the topic, a qualitative approach was preferred, and the paper mainly relies on key informant interviews and focus group discussions. This study finds that there is a lack of an agreed-upon definition of what constitutes 'suspicious activity and/or person'. In most cases, respondents' descriptions of suspicious persons varied considerably from one respondent to the other and by study locations based on subjective factors, such as people's appearance, the language they speak, behaviour, source of livelihood and where they come from. This finding implies that the communities that were studied have a limited understanding of what they actually report and more crucially, of what terrorism looks like. Not knowing what to report could easily create opportunities for profiling and stereotyping and even lead to discriminatory law enforcement, which does more harm than good in encouraging reporting.

Future studies can therefore build on this finding to better understand local communities' perceptions of 'suspicious activities' in relation to VE in Kenya. Furthermore, actors working to prevent VE and improve community and state relations, including relations with security actors, must take a conflict-sensitive approach in designing future interventions. Encouraging communities to carry out reporting of ill-defined activities without guidance on or assurances of how they will be protected from the possible risks from fellow community members, the state and violent extremist organisations warrants better and more careful engagement. The government's need for the communities' support in reporting is meaningful, but the process of getting there requires a phased approach, including building trust between actors and ensuring all parties to the process remain safe as it is carried out.

5. USAID, 'Countering Violent Extremism: Governance and Communications Strategy Paper', <https://pdf.usaid.gov/pdf_docs/PA00ZN4G.pdf>, accessed 10 November 2022.

6. See, for example, Kristina Murphy, Natasha S Madon and Adrian Cherney, 'Reporting Threats of Terrorism: Stigmatisation, Procedural Justice, and Policing Muslims in Australia', *Policing and Society* (Vol. 30, No. 4, 2020), pp. 361–77.

INTRODUCTION

Across Kenya's NE and coastal counties, AS – an affiliate of Al-Qa'ida and the Horn of Africa's most active and lethal terrorist group by far – has continually carried out attacks targeting security personnel and civilians as well as infrastructure, including education institutions and telecommunications masts.⁷ The NE region of Kenya, which comprises Garissa, Mandera and Wajir counties, shares a border with Somalia and has been particularly vulnerable to the threat from AS. Garissa witnessed one of the country's deadliest attacks, at Garissa University College in April 2015. This attack resulted in the deaths of 147 people, mostly students.⁸

Similar threats are faced by the coastal counties of Kenya, partly because of their proximity to Somalia. The Boni Forest, an expansive area that extends from Lamu, Garissa and Tana River counties to Somalia, acts as one of the strategic hideouts and a haven for insurgents. Here, terror incidents suspected to be led by AS have been particularly concentrated in Lamu County. For example, in June 2014, AS attacked hotels and a police station in Mpeketoni, killing at least 48 people.⁹ In January 2020, before global attention turned to the Covid-19 pandemic, AS attacked Camp Simba, a US military airbase in Lamu's Manda Bay, killing one US serviceman and two contractors, and destroying military equipment.¹⁰ The attack attracted considerable attention across the globe as it was the first against a major military base in Kenya that led to the deaths of US nationals. A further concern was that AS accessed the camp's airstrip with relative ease, despite the presence of US and Kenyan soldiers.¹¹

The threat from violent extremist organisations (VEO) in Lamu continues to be very high, with a series of small-scale attacks being reported.¹² Barely two weeks into 2022, data obtained from the Royal United Services Institute's (RUSI) risk management service provider and various media outlets indicated that Lamu County had suffered a total of eight terrorist incidents.¹³ These incidents included the use of IEDs, small-arms attacks, the torching of houses, and abductions. Unlike in Garissa County, most of the attacks in Lamu County have been linked to a faction of AS called Jaysh Ayman (JA),

7. See, for example, *The Star*, 'Three Non-Local Teachers Killed in Al-Shabaab Attack in Garissa', 13 January 2020.

8. *BBC News*, 'Kenya Attack: 147 Dead in Garissa University Assault', 3 April 2015.

9. *BBC News*, 'Kenya Attack: Mpeketoni Near Lamu Hit by Al-Shabab Raid', 16 June 2014.

10. See, for example, *The Guardian*, 'Al-Shabaab Kills Three Americans in Attack on US Military Base in Kenya', 5 January 2020.

11. Karoun Demirjian, 'US Military Investigation Finds Extensive Failures Before Deadly Terror Attack in Kenya', *Washington Post*, 10 March 2022.

12. 'Government Imposes Dusk to Dawn Curfew in Parts of Lamu After Wave of Killings', *The Star*, 5 January 2022.

13. See, for example, Mohammed Yusuf, 'Kenyan Authorities Suspect Al-Shabab Militants Kill 6 in Coastal County', *VOA News*, 3 January 2022.

a unit/cell that appears to be mainly composed of Kenyan nationals and is suspected to operate semi-autonomously from AS. It is believed that JA has been present in Lamu's Boni Forest since early 2014 and receives much of its training and direction from AS in Somalia.¹⁴ Reports suggest JA has grown to include youth from non-traditionally VE-affected zones in Kenya and foreign fighters.¹⁵

In view of the frequent violent extremist activities in Lamu and Garissa counties, USAID funded the Kwa Pamoja Tuzuie Balaa project in 2020 with the broad goal of addressing issues of radicalisation and VE recruitment. The project, which was implemented in a consortium of Search for Common Ground, RUSI Nairobi, Ijara Women for Peace and Kiunga Youth Bunge Initiative, sought to achieve two principal objectives:

1. To strengthen community-led, countering violent extremism (CVE)-relevant support and response structures in at-risk communities.
2. To increase trust and collaboration between community members and relevant local government and security actors in project-targeted areas.

In October 2021, RUSI's Nairobi project team partnered with two local researchers to carry out a primary data-collection exercise that aimed to contextualise and determine obstacles to reporting 'suspicious activities' to authorities. This study was undertaken to answer two research questions:

1. To what extent are members of the local communities in Garissa and Lamu aware of 'suspicious activities' in their localities?
2. What role do they play in reporting such activities?

Most of the academic and programme attention directed towards examining barriers to reporting 'suspicious activities' within the context of VE has been to develop policies and campaigns to encourage the public to report suspicious behaviour. For instance, the US Department of Homeland Security launched the 'If You See Something, Say Something' campaign in the aftermath of 9/11, and the UK designed the 'See it. Say it. Sorted' campaign to raise awareness of the role of the public in keeping themselves and others safe. Kenya has adopted a similar policy and launched a campaign to encourage reporting: the National Counter Terrorism Centre's 'Umeona Nini? Tuambie' ('See Something, Say Something'), and a toll-free number through which members of the public can report suspicious activity.¹⁶ However, limited research has been undertaken to show how such policies are implemented,

14. US Department of Justice, US Attorney's Office, Southern District of New York, 'United States Citizen Pleads Guilty to Providing Material Support to Al Shabaab', 8 September 2017.

15. Sunguta West, 'Jaysh Al-Ayman: A "Local" Threat in Kenya', *Terrorism Monitor* (Vol. 16, No. 8, 2018).

16. National Counter Terrorism Centre, <<https://counterterrorism.go.ke/>>, accessed 19 October 2022.

in particular in developing nations, especially those in sub-Saharan Africa, such as Kenya, that face terrorist attacks. This research seeks to contribute to filling this gap.

This paper presents findings from primary research conducted between October and November 2021 in Lamu and Garissa counties to showcase local communities' perceptions on reporting terrorism-related 'suspicious behaviour'. The paper adds to the pool of knowledge about barriers to reporting terrorism activities and, more critically, about how better to design effective counterterrorism programming. Where possible field findings have been supplemented with relevant VE-prevention and CVE literature.

The paper is composed of three main sections in response to the research questions. The first details respondents' understanding of suspicious activities. Next, the type and nature of reporting institutions that community members report to are explored. The third and largest section discusses the obstacles that inhibit communities from reporting 'suspicious activities' to authorities. Following this, conclusions and recommendations are provided.

METHODOLOGY AND STUDY LOCATIONS

Due to the exploratory nature of this research, the research team adopted a qualitative approach comprised of key informant interviews (KIIs) and focus group discussions (FGDs) to better understand the obstacles inhibiting communities from reporting 'suspicious activities' to authorities. The research team employed a purposive sampling strategy to identify and recruit participants. This approach was tailored to capture different local perspectives and a broad range of contexts in each county, particularly from those who implement the policies and play a formal, informal or traditional role in reporting.

Therefore, officials at the national level, including from the National Counter Terrorism Centre and the Witness Protection Agency, were purposely excluded from the sample of study participants as they are based in Nairobi and to a large extent are involved in policy formulation rather than policy implementation. Those who were selected were triangulated with the researchers based on their local experience and recommendations from project partners, all within the context of budget realities. In the end, most of the selected participants had been involved in one or more components of the Kwa Pamoja Tuzuie Balaa project implemented by the consortium partners. The participants who took part in the KIIs and FGDs were:

- Civilian representatives of local government authorities.
- Representatives of the National Government Administration Officers (NGAO).
- Civilian representatives of the criminal justice sector.
- Community members actively involved in CVE.

- Members of the National Police Service (NPS) vetted under the US Leahy Law.¹⁷

In total, 24 KIIs were conducted with members of the NGAO, the NPS, community leaders, and local religious leaders. In addition, eight FGDs were conducted – four exclusively with girls and women, and the other four with youth leaders and influencers. Each FGD was capped at between eight and 12 participants to ensure that group dynamics are checked and any form of bias due to dominance is reduced. FGD was employed in this context because of its interactive and participatory nature, which allows for the exploration of social dynamics and common attributes of information sharing and reporting practices within a group setting. The number of both KIIs and FGDs was split equally across the two counties. There were 12 KIIs in Garissa and 12 in Lamu. For the FGDs, four were conducted in Garissa and the other four in Lamu.

LIMITATIONS AND CHALLENGES

As with this project design, the Kwa Pamoja Tuzuie Balaa project targets communities in Lamu and Garissa counties. In Lamu, the project is implemented in Mpeketoni, Witu and Bodhei, Basuba, Kiunga, Lamu Island and Faza Island. In Garissa, the project is implemented in the locations bordering the Boni Forest (Ijara, Fafi, Hulugho, Garissa) and Daadab. However, owing to budgetary constraints, security, and the need to ensure the safety of both researchers and study participants, the researchers' initial plan of conducting research in all locations of Lamu and Garissa counties proved not to be feasible. This study was therefore conducted in Mpeketoni and Witu areas of Lamu County and in Garissa Township and Masalani in Garissa County.

It is worth noting that even with narrowed locations, conducting this type of research in these areas is inherently risky given the high rates of VE activities and corresponding security and military action. The entire research study and methods employed successfully underwent both RUSI's internal ethical review process, conducted through the organisation's Research Ethics Committee, and the ethical review process of the Kenya National Commission for Science, Technology and Innovation.¹⁸ Both ethical reviews considered the safety of the researchers and study participants, consent, anonymity, and data storage.

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17. The Leahy Law requires that in US-funded projects, targeted project participants or beneficiaries who are from a foreign government's security forces need to be vetted and cleared before their participation. See US Department of State, Bureau of Democracy, Human Rights, and Labor, 'Leahy Law Fact Sheet', 20 January 2021, <<https://www.state.gov/key-topics-bureau-of-democracy-human-rights-and-labor/human-rights/leahy-law-fact-sheet/>>, accessed 19 October 2022.
 18. National Commission for Science, Technology and Innovation, <<https://www.nacosti.go.ke/>>, accessed 4 October 2022.

The threat from violent extremist organisations continues to be very high

The use of local researchers known to the study participants complemented RUSI's expertise in conducting research and implementing programmes on conflict dynamics, counterterrorism and CVE across East Africa and Kenya in particular.¹⁹ Equally, local researchers were employed because of their extensive contextual knowledge of local dynamics and culture. Moreover, they speak the local languages and possess valuable networks with local grassroots organisations. In Lamu County, interviews were conducted in English and occasionally in Swahili. However, in Garissa County, interviews often alternated between three languages – English, Swahili and Somali.

Girls and women, especially from Somali communities, were hesitant to participate in group discussions in both Lamu and Garissa, despite assurances of anonymity, confidentiality and pairing lead researchers with a female research assistant to boost confidence for information sharing. According to researchers, the challenge was that female respondents were unwilling to openly discuss security issues, mainly because of fear of retribution and backlash from the community. Information obtained from interviews with girls and women should therefore be viewed with this in mind.

Some of the study participants had been empowered to report 'suspicious activities' to authorities by their participation in the Kwa Pamoja Tuzuie Balaa interventions. In view of this, data provided by those with prior interactions with the project needs to be interpreted within the context of confounding influences and bias that are not controlled for in the methodological approach.

RESPONDENTS' PERCEPTIONS OF SUSPICIOUS ACTIVITIES

Study participants were asked what they perceived as a 'suspicious activity' and if they observed a suspicious activity, who they would report it to. This question was followed with another question about whether they had ever reported an incident relating to VE, and the nature of the incident. Respondents' perceptions of suspicious persons and/or activities varied considerably across the two counties. In Lamu County, for example, many FGD participants described suspicious persons as youthful 'non-locals' who were isolated from the rest of the community and often met secretly at night to plan something 'serious'. Others described suspicious persons as strangers who dressed in unfamiliar military-like clothing, lived in the Boni Forest, and were mostly seen late in the evening when fetching their supplies. In Witu, a group of youth felt that suspicious persons were those who were interested in knowing directions to the outskirts of villages. These narratives were largely confirmed by members of both the NGAO and the

19. See, for example, the STRIVE programme, <https://www.eeas.europa.eu/node/47387_en>, accessed 18 October 2022.

NPS, with some noting that they are often alerted by Nyumba Kumi²⁰ leaders about young men who ‘gather late at night and speak only their language’.²¹

In contrast to these rather sweeping narratives and perceptions, other respondents said that some persons described as ‘suspicious’ were merely casual labourers, while others said they were herders looking for pasture and water and had no intention of criminality. Based on these viewpoints, it is assessed that persons considered suspicious by the communities in Lamu could be of two types: those who are more deliberately involved in so-called ‘suspicious activities’; and those of mistaken identity who end up being associated with actions considered ‘suspicious’ without much intention other than seeking livelihoods.

In Garissa County, respondents’ descriptions of suspicious persons were different. A religious leader from Garissa Township described suspicious persons as youth who had changed their lifestyles and were engaging in drug and substance abuse.²² In Masalani, suspicious persons were viewed as youth who ‘migrate’ from Somalia and mostly camp at villages near the border or in Boni Forest.²³ Youth participants in Masalani suggested that suspicious persons were those who were isolated from the rest of the community. Others described suspicious people as those who talk harshly and are ready to use ‘controversial’ quotes from the *Qur’an* or a *hadith*²⁴ to confuse their targets and make them believe their viewpoints and ideologies.²⁵

This data shows that the communities being studied have a limited understanding of what they should actually report and more crucially, of

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20. The Nyumba Kumi initiative is a neighbourhood-watch scheme mainly borrowed from Tanzania that is built around clusters of 10 households, although in Kenya it is not fixed to 10 households but represents a cluster of households in a given locality and with shared aspirations. In this scheme, these clusters form an administrative group and elect neighbourhood security leaders who meet regularly, share information with each other and, when necessary, provide information to security agencies and the National Government Administration Officers (NGAO). The country-wide scheme was launched in 2013 following the Westgate mall terror attack. See Hanno Brankamp, ‘Refugees in Uniform: Community Policing as a Technology of Government in Kakuma Refugee Camp, Kenya’, *Journal of Eastern African Studies* (Vol. 14, No. 2, 2020), pp. 270–90; Tessa Diphoorn and Naomi van Stapele, ‘What Is Community Policing? Divergent Agendas, Practices, and Experiences of Transforming the Police in Kenya’, *Policing: A Journal of Policy and Practice* (Vol. 15, No. 1, 2021), pp. 399–411.
 21. Authors’ interview with NPS representative, Mpeketoni, Lamu County, 5 October 2021.
 22. Authors’ interview with religious leader, Garissa Township, 1 November 2021.
 23. Authors’ interview with NGAO representative, Masalani, Garissa County, 28 October 2021.
 24. The *hadith* is the collection of traditions containing sayings of and practices instituted by the Prophet Muhammad (the Sunna).
 25. Focus group discussions with youth, Masalani, Garissa County, 15 September and 4 November 2021.

what terrorism ‘looks like’. It is worth reiterating that study participants were first asked: ‘What, according to you, are “suspicious activities”? And if you observed these, who would you report them to?’. This question was then followed up by asking whether they have ever reported an incident relating to VE, and the nature of the incident. Given participants’ responses that have already been discussed, it is possible that not knowing what to report may easily create opportunities for profiling and stereotyping, and even lead to discriminatory law enforcement, which does more harm than good in promoting reporting behaviour. This assessment is confirmed by Jennifer V Carson and Hailey Politte, who suggest that the general public may be influenced by factors such as ethnicity, skin colour and race when reporting terrorism or terrorism-related behaviours, which could infringe on people’s constitutionally enshrined rights.²⁶ Therefore, there is a need for security agencies and civil-society organisations working in the P/CVE field to educate communities on what terrorism and terrorism-related behaviour look like, both to increase accurate reporting of VE incidents, and to do so in a safe and conflict-sensitive manner.

WHAT GETS REPORTED

Despite varying viewpoints regarding suspicious persons or behaviour, there was considerable homogeneity in the type of incidents that got reported to authorities by communities. Gender-based violence, sexual assault, murder, robbery, assault, disputes between farmers and herders, and land grabbing were the incidents most commonly reported to law enforcement agencies across all the research locations. These crimes are much more common and easier to identify in communities than are cases of radicalisation and recruitment into VEOs, which were less reported to law enforcement agencies. Furthermore it is, of course, difficult to report individuals who have not yet committed acts of terrorism.

REPORTING INSTITUTIONS

Data collected during this study suggests that information sharing and reporting of behaviour by communities largely depends on context and relationships. Based on this, four channels of reporting emerged.

1. COMMUNITY TO LOCAL SECURITY STRUCTURES

Respondents in both Lamu and Garissa counties provided many examples of how and why community members directly reported incidents to local security structures, including village elders, Nyumba Kumi leaders, and chiefs and their assistants,²⁷ who are then entrusted to cascade the information

26. Jennifer V Carson and Hailey Politte, ‘Implicit Bias Within Public Reporting: A Virtual Reality Experiment Examining “Suspicious” Activity’, *Crime and Delinquency*, (Vol. 67, No. 12, 2021), pp. 2135–62.

27. Chiefs and Assistant Chiefs are part of the NGAO and represent national government at the grassroots. Their roles include and are not limited to

to their seniors – either to the police or to NGAO officials. Crucially, this line of information flow was confirmed by both police officers and NGAO officials at the county level. They affirmed that community members mostly share information with village officials, who either solve the matter or report it to the police or NGAO officials for resolution. Therefore, from this data, village officials emerge as the first receptors and vectors for transmitting information. Communities considered them to be easily accessible, trustworthy, quick to respond and to have solutions to problems that do not need to go to the police.

In both Lamu and Garissa counties, chiefs were particularly viewed as central to information flows regarding security matters, mostly because of trust and the feeling of being understood. Chiefs were said to know their constituents well, able to speak both the local language and Swahili and, more importantly, to ‘understand and speak [the] police’s language’. Furthermore, the communities in the study noted that chiefs were their ‘go-to’ person because they resided in the same locality as the communities they served and were easily accessible. Critically, some interviewees noted that police would at times confirm the authenticity of a matter reported to them with the chief before they acted. Equally importantly, chiefs and chief assistants considered themselves to be cornerstones of information flows in the community. Many viewed themselves as better informed than most of the ‘ordinary’ community members about the communities’ problems and concerns, as they had information networks that cut across locations, and knew exactly who they needed to coordinate with in terms of reporting and information sharing. However, in contrast to this, some of the chiefs knew little about how to handle sensitive security issues such as tip-offs, while others were afraid to act on reports because of fear of VEOs.²⁸

2. COMMUNITY TO COUNTY-LEVEL NGAO AND SECURITY AGENCY OFFICIALS

Several study participants said that they often bypassed village officials and reported directly either to NGAO members at the county level or to security agencies. Although a less used channel, some respondents preferred this route of reporting when an incident was considered ‘complex’ or required an immediate response. Further to this, some respondents, especially men and youth, noted that village officials were sometimes avoided because of fears of partiality, corruption, cronyism and clientelism. Within this information flow context, respondents mentioned that reporting to county-level NGAO and security agencies was or could be exploited by community members considered ‘non-local’. One female FGD participant in Garissa Township

preventing the committing of any offence within the local limits of their jurisdiction. See Republic of Kenya, Laws of Kenya, Chapter 128, Chiefs’ Act, p. 6 <<https://www.nis.go.ke/downloads/Chiefs%20Act,%20Cap%20128.pdf>> accessed 15 October 2022.

28. Focus group discussion with youth, Witu, Lamu County, 15 September and 4 November 2021.

noted that 'non-Somalis prefer reporting to the police [who are often non-Somalis], unlike most Somalis'.²⁹ A study by Daisy Muibu and Suat Cubukcu³⁰ argues that whereas the trust between ethnic Somalis and their county governments (mostly led by 'locals') is somewhat better, trust levels between Somalis and officers from national government are often undermined by the government's counterterrorism efforts.

3. COMMUNITY TO TRUSTED INTERLOCUTORS

In Garissa County, some community members, particularly youth and women, spoke about sharing reports with other interlocutors, who would later pass the information to the authorities. Interlocutors for reporting in the studied communities were identified as religious leaders, parents (for youth, girls and women), and husbands (for married women). This channel of reporting is largely explained by the culture of the studied communities. In a Somali community, most youth and women are less willing to discuss security-related matters without first checking with parents or elders. It is widely recognised that Somali culture, which is largely patriarchal, prohibits women from sharing their views about security before men in their households verify such information. Women are supposed to first consider their families and share information with the men in their households, who will decide whether the information should be shared outside the family. Based on this, youth and women feel safe and comfortable first reporting a case to an interlocutor before it is escalated to the authorities.

4. COMMUNITY TO OFFICIALS AT THE MINISTRY OF INTERIOR AND THE EXECUTIVE OFFICE OF THE PRESIDENT

This channel of reporting is unique to Lamu County, mainly because of the 2014 Mpeketoni attack. It involves some community members directly reporting incidents to top officials at the Ministry of Interior and even sometimes to the Executive Office of the President. Respondents noted that those who directly report to the officials in the national government are well connected, have networks within the county and beyond, and are respected by the community. Those who opted for this channel of reporting were said to not fully trust local security agencies, as they believed security agencies often acted swiftly when they received instructions from top state organs. Their perceptions of security agencies were said to be largely informed by the 2014 Mpeketoni attack, where security agencies had prior intelligence of the impending attack but failed to act on the information.³¹

29. Focus group discussion with youth, Garissa Township, Garissa County, 15 September and 4 November 2021.

30. Daisy Muibu and Suat Cubukcu, 'Assessing the Impact of Terrorism and Counter-Terrorism on Public Perceptions Among Ethnic Minorities in Kenya', *Journal of Policing, Intelligence and Counter Terrorism*, 7 May 2021, pp. 1–29.

31. Otsieno Namwaya and Roland Ebole, *Insult to Injury: The 2014 Lamu and Tana River Attacks and Kenya's Abusive Response* (New York, NY: Human Rights Watch, 2015).

BARRIERS TO REPORTING SUSPICIOUS ACTIVITIES TO AUTHORITIES

MISTRUST OF SECURITY AGENCIES

Across all study locations, communities' mistrust of security agencies, particularly the police, was repeatedly mentioned as a key factor that inhibits reporting of suspicious activities to authorities. Numerous respondents, especially from Garissa County, said they did not trust the police as a genuine partner in the fight against VE because of their involvement in extra-judicial killings, youth disappearances and harassment. Similar sentiments were shared by some members of the NGAO, who argued that these events fomented people's fear and distrust of the police. These narratives are corroborated by the 2016 Human Rights Watch report, which detailed security agencies abuses in the NE region. The report notes that in Garissa: 'security officers from various units raided homes and compounds, business premises and schools to arrest individuals and conduct searches in the middle of the night. Some of those arrested have never been seen again.'³²

In Garissa County, respondents were particularly sceptical of law enforcement agencies, with some claiming that reporting to the police was a waste of time as they would not get any help. A respondent from Garissa Township noted: 'Everyone knows that even if you report a case to the police, they will not act. The best they can do is to protect themselves.'³³ In both counties, youth complained that the police sometimes doubted them when they reported an incident, to the extent that some of them were treated as suspects, or even worse, as AS sympathisers.

Police were spoken of as corrupt. In Garissa Township, women participants in the FGD argued that security officers were corrupt to the extent of taking money from the victim and the offender.³⁴ Similar sentiments were expressed by a respondent from Witu, Lamu County, who said the risk of reporting something to a police officer was not worth the potential benefit because the 'police might sell the information to the criminals for a small fee'.³⁵

Police–community relations in Kenya have not been positive for many years. In 2009, following the 2007/2008 post-election violence, the National Task

Numerous respondents said they did not trust the police

32. Human Rights Watch, 'Deaths and Disappearances: Abuses in Counterterrorism Operations in Nairobi and in Northeastern Kenya', 20 July 2016, <<https://www.hrw.org/report/2016/07/21/deaths-and-disappearances/abuses-counterterrorism-operations-nairobi-and>>, accessed 25 January 2022.

33. Authors' interview with an elder, Garissa Township, Garissa County, 1 November 2021.

34. Focus group discussion with women, Garissa Township, Garissa County, November 2021.

35. Authors' interview with an elder, Witu, Lamu County, 2 November 2021.

Force on Police Reforms (NTFPR) carried out an extensive study to determine what ailed the Kenyan police and to recommend ways of promoting democratic policing principles to enhance ethical policing. The NTFPR report³⁶ established, among other things, that: corruption among junior and senior police officers was rife and had adverse effects on policing and public trust; and corruption within the police service was widespread and endemic, with unacceptably high levels of tolerance for corruption across all ranks.

Since the publication of the NTFPR report, the trend of chronic police corruption continues. In a 2020 Afrobarometer survey, police were established as the least trusted public institution in Kenya, with only 34% of Kenyans expressing that they trusted the police 'somewhat'. The public level of confidence in the police was below the continent's average of 51%.³⁷ In a more recent survey, 68% of Kenyans consider 'most or all' police officers to be corrupt.³⁸

The perceived level of corruption in Kenya has been acknowledged within policy circles. For example, in a televised address in 2015, then President Uhuru Kenyatta noted: 'I believe that corruption is a standing threat to Kenya's national security. The bribe accepted by an official can lead to successful terrorist attacks that kill Kenyans. It can let a criminal off the hook for them to return to crime and harming Kenyans.'³⁹ Corruption in the Kenyan police can be understood within the context of a post-colonial Kenya where leaders failed to fundamentally change the philosophy, training and practices that the police inherited from colonial police officers.⁴⁰ Today, police in Kenya have largely maintained the culture of protecting the interests of those in power and engaging in brutality and extortion.⁴¹ They therefore have considerable work to do before they gain community trust.

CLAIMS OF POLICE INACTION

Numerous participants expressed little confidence in the capacity and inclination of security personnel to solve problems that are reported. In

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36. Peter Gastrow, 'The Kenya National Task Force on Police Reform: Some Key Recommendations Summarised', National Task Force on Police Reform, 3 November 2009. The paper can be found on the website of the International Peace Institute, <https://www.ipinst.org/wp-content/uploads/2010/01/pdfs_summary_policereformreport.pdf>, accessed 10 August 2022.
 37. Sibusiso Nkomo and Stephen Buchanan-Clarke, 'Violent Extremism in Africa: Popular Assessments from the "Eastern Corridor"', Afrobarometer, Policy Paper No. 65, May 2020.
 38. Josephine Sanny, Carolyn Logan and Luyando Katenda, 'AD512: Perceptions are Bad, Reality is Worse: Citizens Report Widespread Predation by African Police', Afrobarometer, Dispatch No. 512, 18 March 2022.
 39. Tom Odula, 'Kenya President Declares Corruption National Security Threat', AP News, 23 November 2015.
 40. Kempe Ronald Hope Sr, 'The Police Corruption "Crime Problem" in Kenya', *Security Journal* (Vol. 32, No. 2, 2019), pp. 85–101.
 41. *Ibid.*

Lamu County, interviewees narrated that people in their communities still remembered how a combination of security agencies' failure to act on information about the impending 2014 Mpeketoni attack, and their slow response to arrive at the scene of the attack, culminated in the deaths of at least 48 people.⁴² Their claims are supported by the findings of a Human Rights Watch study, which established that security agencies posted near to the scene of the attack not only arrived hours late but were ill prepared, with insufficient coordination and equipment.⁴³ The study further noted that 'the police had prior intelligence about the impending attack but failed to prevent it'.⁴⁴ Relatedly, in Garissa County, interviewees recounted the hours it took security actors to respond to the 2015 terror attack at Garissa University, which led to the deaths of 148 people – mostly students. Regarding these two terror attacks, respondents argued that security agencies' action was at times 'disheartening', while others felt 'government simply ignored them'.⁴⁵ As a consequence, some members of the community were said to have opted to stay silent even after witnessing 'suspicious activity'.

ALLEGATIONS OF FAVOURITISM AND NEPOTISM BY SECURITY AGENCIES

Undertones of favouritism and nepotism on the basis of religion and 'local' vs 'non-local' divisions were said to influence people's willingness to report 'suspicious activities'. In Garissa County, non-Somali respondents were reportedly more willing to report to the police because they were 'treated better' by the authorities (who are often non-Somali). In contrast, those of Somali ethnicity were less willing to do so because 'when Somalis report directly to the police, they are rarely helped'.⁴⁶ Youth participants in Masalani, Garissa County also alleged that government and police were inclined to side with 'non-locals', effectively pitting Somalis against 'non-locals'.

Deploying security personnel local to the communities in the NE region has been tried for many years. During the Shifta war (1963–67),⁴⁷ governments deliberately recruited and deployed administration police who were 'local' to the communities in what was then the Northern Frontier District – now

42. *BBC News*, 'Kenya Attack'.

43. Namwaya and Ebole, *Insult to Injury*.

44. *Ibid.*, p. 27.

45. Focus group discussions with youth, Garissa Township, Garissa County, November 2021.

46. Focus group discussions with women, Garissa Township, Garissa County, between 15 September and 4 November 2021.

47. The Shifta war was a secessionist conflict in which ethnic Somali communities attempted to have the Northern Frontier District (NFD) secede from Kenya to join Somalia. When Kenya attained its independence in 1963, the Somali community felt inadequately represented in the new Kenyan government, which had adopted the colonial British model. As a result, there was an attempt to join Somalia. The Kenyan government named the conflict after the Somali word for 'bandit', *shifta*. See Anneli Botha, 'Assessing the Vulnerability of Kenyan Youths to Radicalisation and Extremism', *Institute for Security Studies Papers*, No. 245, April 2013, p. 28.

the counties of Mandera, Wajir and Garissa – with the task of ‘trying to keep order’.⁴⁸ A similar strategy was employed in 2015 following the AS attack on Garissa University. The Kenyan government appointed a Somali leader, Mohamud Ali Saleh, who had had a role in ending the Shifita war, as the NE regional security commissioner.⁴⁹ Reports suggest Saleh brought significant improvements to the relationship between community and security agencies by deploying security personnel who came from the affected communities, as they were believed to have a better understanding of context and local dynamics.⁵⁰ Charles Villa-Vicencio, Stephen Buchanan-Clarke and Alex Humphrey note that the deployment of ethnic Somali security officers in Garissa County was instrumental in building trust and promoting information sharing.⁵¹ In Mandera County, a study by Saferworld established that the hiring of national police reserves (NPR) by the county government significantly contributed to the reduction of large-scale attacks by AS in the county.⁵² However, it is worth noting that some are concerned about how the NPR can potentially be exploited by those, such as AS, who wish to contribute to or cause conflicts and divisions between communities.

FEAR

FEAR OF VEOs

On many occasions, the research demonstrated respondents’ entrenched fear of VEOs. In Garissa Township, for example, a female participant argued that fear of retaliatory attacks from VEOs was a significant hindrance to reporting suspicious activities to the authorities.⁵³ This was also emphasised in other study areas, where respondents claimed it was hard to differentiate between VEO actors and members of the public.

Fear of retaliation from VEOs was ubiquitous among respondents who resided in remote villages and areas near the Boni Forest. This was mainly because of the limited security presence. In these communities, respondents’ fear of VEOs ranged from a fear of threats and intimidation to fears about the abduction and killing of the alleged informer and sometimes their families.

48. Hannah Whittaker, ‘Forced Villagization During the Shifita Conflict in Kenya, ca. 1963–1968’, *International Journal of African Historical Studies* (Vol. 45, No. 3, 2012), pp. 343–64.

49. Christopher Wakube et al., ‘Inside Kenya’s War on Terror: Breaking the Cycle of Violence in Garissa’, Saferworld, 2017.

50. Benedicte Goderieux et al., “‘A War That Hurts Us Twice’: Inside Kenya’s War on Terror: Community Perspectives on Security in Mandera County”, Saferworld, August 2020.

51. Charles Villa-Vicencio, Stephen Buchanan-Clarke and Alex Humphrey, *Community Perceptions of Violent Extremism in Kenya* (Cape Town: Institute for Justice and Reconciliation, 2016).

52. Goderieux et al., “‘A War That Hurts Us Twice’”.

53. Focus group discussions with women, Garissa Township, Garissa County, 15 September and 4 November 2021.

It is due to the fear of VEOs that one interviewee from Garissa County recommended that the reporting of VE incidents should be a communal undertaking and not an individual one.⁵⁴

FEAR OF SECURITY AGENCIES

Communities' fear of the police was multifaceted. Several respondents, mainly girls and women, complained that they feared the police because they were 'problematic'⁵⁵ and often demanded information such as the appearance and the language of the suspect, which some community members were uncomfortable with providing, mainly because it could lead to profiling and a feeling of 'selling out' a community member to the authorities. Security agencies' heavy-handedness, brutality and communities' claims of 'illegal raids at homes' were mentioned to have done the most to foment communities' fear. In Mpeketoni, a youth participant narrated how his friend was brutally beaten and left in the bush to 'sort himself' after an attempted arrest of suspicious people in the Boni Forest was botched. According to the youth, the suspects were aware of their impending arrest and fled from the scene before the police could arrive. Consequently, the police accused the witness of misleading them and wasting their resources.⁵⁶ The location of police stations, which in some areas were viewed as 'far and isolated', was considered to contribute to communities' fear of the police and a less-than-ideal relationship between the police and community. When a police station is nearer to communities, there is a likelihood of enhanced police–community engagement that might contribute to non-coercive policing responses.

FEAR OF RETALIATION FROM FAMILY AND COMMUNITY

Fear of impairing kinship networks and relationships – both familial and communal – also emerged as a critical factor that influenced the likelihood of people reporting suspicious activities. According to a Nyumba Kumi member from Mpeketoni, some community members were unwilling to report relatives that might be involved in 'suspicious activities' because they feared damaging their family relationships and family's reputation. In both Mpeketoni and Witu, respondents said that spying on or reporting a family member was considered 'taboo'.⁵⁷ It is assessed that one way of breaking this taboo would be for civil society organisations, security agencies and the government (national and county) to undertake sustained awareness-raising campaigns on the long-term benefits for communities of reporting 'suspicious activities' to authorities. As well as receiving assurances on how

54. Authors' interview with religious leader, Garissa Township, Garissa County, 1 November 2021.

55. Focus group discussions with women, Garissa Township, Garissa County, 15 September and 4 November 2021.

56. Focus group discussions with youth, Mpeketoni, Lamu County, 15 September and 4 November 2021.

57. Focus group discussions with women, Mpeketoni, 15 September to 4 November 2021.

reporting will be acted upon, the reporting person will be protected and supported to manage any possible risks in a discreet manner.

DIFFICULTY IN ACCESSING REPORTING INSTITUTIONS

Difficulty accessing security officers was a recurrent concern for those who lived in remote villages, including near the Boni Forest. In Lamu County, for example, respondents who lived near the Boni Forest spoke of 'impassable roads and unreliable network connectivity', coupled with limited presence of security actors in the neighbourhoods, hindering reporting of VE incidents to the authorities. This assertion was corroborated by a security official, who noted that because of poor feeder roads, communities near the Boni Forest are only accessible by motorbike.⁵⁸

Relatedly, Masalani residents complained that the police were stationed quite far from the people and that it was not possible to easily reach them with information. Poor roads and network connectivity problems are likely to discourage communities living in remote areas from reporting suspicious activities – telecommunications masts in the area, supported by Safaricom, one of Kenya's key telecommunications providers, are often destroyed by AS and take time to repair. In addition, security agencies responding to information are often late in attending and, in most cases, arrive after the VEO actors have vanished. On the whole, this qualitative data finding seems to confirm suggestions in the wider literature that increasing police visibility in a community through patrols is critical to enhancing reporting, due to an improved sense of safety and security among community members.⁵⁹

CONFIDENTIALITY CONCERNS AND LACK OF EFFECTIVE WITNESS PROTECTION SYSTEM

Lack of adequate protection of an informant's identity and that of their family members was another concern that resulted in participants' distrust of law enforcement agencies. Several participants spoke about a lack of assurance from the authorities that their name, place of residence, and even role in society would be kept confidential after reporting an incident. Many respondents accused the police, and particularly 'junior police officers', of sometimes leaking confidential information to those under suspicion. This failure or lack of capacity to protect confidential information from the community was said to contribute to loss of integrity and even to result in serious outcomes, such as death. Other respondents felt that the process of providing evidence during witness interviews and the prosecution of a court case was itself tiring and burdensome. A few other respondents noted that

Security agencies responding to information are often late in attending and, in most cases, arrive after the VEO actors have vanished

58. Authors' interview with security official, Mpeketoni, Lamu County, 2 November 2021.

59. Krunoslav Borovec, Iva Balgaç and Irena Cajner Mraovič, 'Police Visibility as an Influencing Factor on Citizens' Perception of Safety', *Journal of Criminal Justice and Security* (Vol. 21, No. 2, 2019), p. 135–60.

going to court as a witness was associated with the loss of daily income and other income-generating opportunities.

LANGUAGE BARRIER

Even though the majority of Kenyans have a good comprehension of the Swahili language, language barriers and the inability of some community members to communicate with those in the chain of reporting, especially the police, was mentioned as an obstacle to reporting in some remote parts of Garissa County. Several respondents argued that most communities in remote villages spoke local dialects and rarely communicated in Swahili, let alone English (in Kenya, security agencies at times alternate between Swahili and English). In Masalani, for example, respondents noted that many women and some men faced difficulty in 'understanding the language of the police'.⁶⁰ Notably, references to language barriers as an inhibitor to reporting were less commonly mentioned in Lamu County, which has a comparatively better level of education.

WOMEN'S REPORTING BEHAVIOUR

Information sharing and reporting behaviour also reflected traditional or culturally perceived gender roles, with many more men willing to make reports to 'formal' reporting institutions than women, who preferred 'informal' reporting structures. Vulnerabilities experienced by women were a common theme that emerged as a factor that made them unwilling to report cases to 'formal' authorities. Female participants, especially those from Masalani areas, explained that women in their communities shied away from reporting incidents to the authorities because of fear of victimisation and being labelled as 'spoilt' and 'promiscuous', especially when seen talking to a police officer or at a police station. Women explained that talking to a police officer was viewed as a deviation from the expected norms regarding their role and status in the community and that it was only men who could engage with security officials.⁶¹ As already mentioned, women were required to first consider their families and share any security-related information with the men in their households, who would then decide whether information should be shared outside the family.

CONCLUSIONS

This paper used a community-focused approach to examine two questions:

1. To what extent are members of the local communities in Garissa and Lamu counties aware of 'suspicious activities' in their localities?
2. What role do they play in reporting such activities?

60. Authors' interview with religious leader, Masalani, Garissa County, 14 October 2021.

61. Focus group discussions with women, Masalani, Garissa County, between 15 September and 4 November 2021.

The research for this paper relied primarily on fieldwork to reveal community perceptions of 'suspicious activities', the role of community members in reporting such activities, and the challenges encountered in reporting.

The research finds that public knowledge about terrorism, what terrorism really looks like, and what actually should be reported to authorities was low. Respondents described 'suspicious behaviour' based on disparate factors such as people's appearance, the language they speak, behaviour, source of livelihood and their origins. It was evident that defining 'suspicious persons' by using these attributes could easily affect constitutionally protected rights and create opportunities for profiling and stereotyping and lead to discriminatory law enforcement (which does more harm than good in reporting behaviour).

There was considerable homogeneity in the type of incidents communities report to authorities. Gender-based violence, sexual assault, murder, robbery, assault, disputes between farmers and herders, and land grabbing were the incidents most commonly reported to law enforcement agencies in both counties. These crimes may have been reported at a higher rate in the studied communities because they were more common and easily identifiable by the communities. In contrast, cases of radicalisation and recruitment into VEOs were found to be reported less often to the security agencies. This could be explained by the fact that proportionally, VE cases are less common than other crimes, and that it is difficult to report individuals who have not yet committed acts of terrorism.

Four channels of reporting emerged from the data: communities directly reporting to village officials; communities reporting to county-level NGAO members or security officials; people reporting to trusted interlocutors; and some people reporting directly to local representatives of national government officials at the Ministry of Interior and, at times, the Executive Office of the President.

The study finds the following factors to be obstacles to reporting 'suspicious activities' to authorities: widespread distrust of security agencies; claims of police inaction; allegations of favouritism and nepotism by the security agencies; fear of VEOs, security agencies and damage to family and communal relationships; difficulty in accessing reporting institutions; confidentiality concerns and lack of an effective witness protection system; language barriers; and traditional or culturally perceived gender roles, especially in Masalani, that hinder women interacting with security agencies.

While the obstacles to reporting 'suspicious activities' to authorities presented in this study are not new, the nuances and perspectives that emerge from an analysis of the data can be used to develop and design improved interventions aimed at encouraging communities to report incidents of terrorism-related 'suspicious activities' in a safe and conflict-sensitive manner. Further research needs to employ richer methodologies, such as participant observation, in which the research team observes situations in the community and, if

possible, takes part in reporting activities, to further unpack more barriers to reporting 'suspicious activities' to authorities. In addition, there needs to be more careful consideration of the gendered aspects of awareness and reporting practices.

RECOMMENDATIONS

The study identifies several key recommendations:

- **Security agencies and CVE practitioners:**
 - Security actors and CVE practitioners, including civil society organisations (CSOs), need to expand coverage of and recalibrate the contents of awareness-raising interventions to clearly educate communities on what constitutes terrorism and terrorism-related behaviour. Such interventions have a great potential for increasing reporting of VE-related incidents because empowered communities would have more knowledge about how to identify terrorism and, more importantly, about what they are supposed to report.
 - Security agencies and CSOs need to develop mechanisms to build and strengthen police–civilian trust levels, which is fundamental for encouraging information sharing and collaboration. Trust is built through action, not communication alone, and as such communities will need to see improved action on reporting, follow-up and insurance of safety, as well as careful and secure management of any information shared. In addition, efforts could be made to increase trust, for instance, by using platforms for police–youth dialogue and engagement, such as sporting events, to bridge the gap between the police and youth.
- **Local communities:**
 - Community leaders, both male and female, such as elders, religious leaders and educators, can be used as agents of change to de-escalate intercommunal or inter-ethnic tensions to improve mutual understanding, relations and learning from one another about different beliefs and practices. This would reduce the risk of enhancing inter-communal tensions and improve reporting practices. Communities can be brought together against the risk of terrorism if processes are perceived not to point fingers but rather to contribute to safety and common prosperity.
- **National and county governments:**
 - Governments must build or repair critical infrastructure such as roads and telecommunications masts in remote areas to promote access to law enforcement agencies. Equally, there is a need to build police stations nearer to communities, which is likely to enhance police–community engagement, and in turn might contribute to non-coercive policing responses.

- As a long-term strategy, authorities can also empower local officials in remote localities to contribute to early-warning systems and regularly provide reports from community members about ‘suspicious activities’ in their localities.
- Members of community policing structures retain extensive influence and authority in Garissa and Lamu counties. They also play a significant role in influencing the attitudes and behaviours of community members, especially those in remote villages. Governments need to strengthen the capacity of community policing officials to tap into their social networks and effective bond with the community to promote information sharing and trust building.
 - While there are arguments for and against localisation of security, the national government could consider recruitment and deployment of ‘local’ security personnel to remote areas to improve community–police relations and information sharing. ‘Local’ security officials were said to have greater involvement in community grievances, be keener to offer solutions, and to understand the language of their communities.
 - Governments should promote the participation of women in security matters in a gender-sensitive manner by increasing the proportion of women in NGAO and NPS at the county and local levels. This is likely to provide opportunities for other women to share information readily and freely and to meaningfully contribute to the general security situation in their communities. Furthermore, such efforts are likely to improve women’s and girls’ awareness of their rights and place in society.

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Published in 2022 by the Royal United Services Institute for Defence and Security Studies. RUSI is a registered charity (No. 210639).



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