



HUMAN SECURITY FORUM NO. 2

Criminal Gangs and the Threats to Human and State Security in Kenya

May 26 2008—Norfolk Hotel

CONCEPT NOTE

Summary

The Institute for Security Studies [ISS], the Hanns Seidel Foundation and the Africa Peace Forum (APFO) are organising a high level closed door forum on **Criminal Gangs and the Threats to Human and State Security in Kenya**. Two Kenyans who have been researching on criminal gangs and militia will present on the local experience. A guest speaker from South Africa will present on the South African experience and the state's response to the phenomenon. The essence is to exchange ideas and experiences on the extent of the problem and the state's efforts to contain the problem.

The major aims of this seminar are: to open up debate on the impact of criminal gang activities in the country; to encourage research on criminal gangs and the use of militias in the country and to discuss possible ways of containing the menace.

The workshop will be a one-day affair and will be held in Nairobi from 9:00 am to 4:00pm on the 26th of May, 2008. It is estimated that at most **30 participants** will attend.

Rationale for the seminar

Kenya has been plagued by all kinds of criminal gangs/militia that have been destabilising the country for a long time. The fact that criminal gangs can take the lead in violent demonstrations when contesting election outcomes points to a problem with the political culture and with governance in general. These issues demand that attention be focused on the disruption of development due to the activities of criminal gangs. Gangs with criminal intentions exist everywhere. They take advantage of the security gaps to terrorise peaceful citizens as they go about making their living. However, when gangs take over entire business sectors in the country and when there are allegations of collusion between security authorities, senior politicians and gangs, then there is clear evidence of a breakdown in law and order.

State failure in security provision has contributed to the poor providing themselves with security though whatever means possible. Aggrieved communities create their own vigilante groups and these carry out the roles of policing and indictment. Allegations have been

leveled at some politicians that they establish private militias to do their dirty political jobs. Political competition is such that competitors see the need to resort to violent means to get into office. This is a general anxiety brought about by the negative effects of non-development that need to be fought in the region. This absence of effective state security measures has also contributed to the rise in vigilante justice, especially in poor communities and criminal gangs have risen to fill in this gap in many places. It thus becomes imperative to try and understand the difference between militia groups, vigilante groups and criminal gangs or how the former two transform into the latter. This is an area for future research.

Strictly speaking, in Kenya, these criminal gangs embrace three different types of criminal activities. One is professional crime, engaged in by professional criminals. Secondly, is the operation of crime syndicates engaged in the pursuit of illegal financial gain and enjoying protection from corrupt officials. And thirdly, is the secret and illegal expansion of their assets to the detriment of others. Mungiki activities in particular epitomise this. In the contemporary history of violence and insecurity in Kenya, it is apparent that this group has that ethnic and regional link and its root activities and woes are purportedly linked to political and economic necessities.

For the purpose of the forum and Kenya's current situation, Kenya's criminal gangs' activities fall squarely on the second category, and with a direct concern to such groups as Mungiki, Sabaot Land Defence Force, Chinkororo and others operating in both metropolitan areas and the rural enclaves. For instance, Mombasa largely perceived to be a crime free tourist haven, has its own share of conflicts. The increasing population has expanded the slums in the town and these provide shelter to the many gangs that have sprung up and tasked themselves with managing 'security' in specific ghettos. In the main slums of Kaa Chonjo, Bangladesh, Kalahari, Fuata Nyayo, Mutaratara, Majengo ya Simba, Mishomoroni and Madhubaha three main gangs terrorise the citizens, the gangs are; The Kambi Kikuyu gang, Bokole warriors and the Forty Thieves.

It is against this background that the 3 organisations are organising a closed door seminar to raise awareness of the impact of gang related crimes on development. Though it can be argued that comparing South Africa with Kenya is like comparing oranges and apples - the bottom line is that it is important to understand how gangs originate, metamorphose and mutate to survive in the ever changing political and economic landscape. Both countries share violent histories in their struggles for independence/majority rule; both fall into the category of economic giants in their regions and both have high levels of income inequalities. Also, until recently, Kenya was also perceived as a stable democracy just like South Africa. Lastly, these are countries on the continent where gangs wreak havoc on the economy.

Objectives

This seminar seeks to raise awareness on the impact of gang/militia crime on development and governance in Kenya.

The specific objectives of the workshop are as follows:

- To share experiences of gang culture and crime from other African countries and tease out the differences in the modus operandi of gangs in the different countries,

- To discuss the impact of gang/militia crime on development and prospects for economic growth;
- To debate the human security perspective of criminal gangs and open up dialogue on its nexus with state security;
- To discuss the issues that militate against the Kenyan Government from fully containing the problem and share other jurisdictions' attempts to contain the problem and if Kenya can draw some lessons from them.
- To discuss possible alternative modes of policing and organized crime mitigation for Kenya.

Participants and experts:

It is anticipated that the private seminar will be for half a day and will be attended by approximately 30 participants. Invitations will be selective and only high level personnel/officers working on security will be invited.

Participants will be drawn from the following institutions:

- Government Ministries/Relevant Ministries
- The Police
- The Diplomatic corps
- Academia
- Researchers on gangs and crime in Kenya

Outputs

A confidential report will be produced and it will include a summary of the presentations, discussions and decisions from the forum.