

Peace and Stability in Somalia: Kenya's National Prospects

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Abstract: This paper article reviews Somalia reaction towards Kenya before and after the collapse of the Somalia Government, effects of State Collapse, efforts made to restore peace and opportunities for Kenya within the context of stabilizing Somalia. The researcher used both primary and secondary data collection techniques to gather data. Under primary, the researcher used qualitative techniques by using interview schedules and FGDs. The population comprised key informants from both Kenya and Somalia governments and opinion shapers in Somalia. The study found that the “bad neighborhood”, between Kenya and Somalia had existed since independence. Kenya had experienced cross border influenced insecurity on its Northern Frontier Districts emanating from Somalia, even before the collapse of the Somalia State in 1991 and this was manifested in form of irredentism and border contestations. Generally, the Horn of Africa (HoA), including Kenya, had been faced with threat of increase of illicit firearms, cross border criminality, terrorism, conflict spill-over and refugee crises arising from Somalia's statelessness. The ripple effects of Somalia State failure had been witnessed through the regional insecurity perpetuated by Al Shabaab. The Somalia conflict ailed from the spoiler effect from within and without Somalia who wanted to influence the outcome of any political process. Kenya's bitter relationship with Somalia was compounded by the formation of the Horn of Africa Cooperation (HoAC) between Eritrea, Ethiopia and Somalia, a unified entity that could reduce the Kenyan influence in the regional politics. This notwithstanding, Kenya continued to foster its support for Somalia's peace process and creating a positive business environment, despite the outstanding maritime dispute. The study concluded that a stable relationship between Kenya and Somalia would result in an expanded economic partnership and stable borders, which will reduce the influence of Al-Shabaab in the region.

Keywords: Stability, Peace, Partnership, Agreement, Al Shabaab, Spoiler, Prospects

I. INTRODUCTION

Immediately after Kenya's independence, irredentist movement sprung up in the Northern Frontier Districts (NFD). The movement had aspirations of hiving off part of Kenya into Somalia. Symbolically, the Somalia flag had five stars representing the irredentist nationalism claims: Puntland, Somaliland, Jubaland, Ogaden region in Ethiopia and NFD in Kenya, in the dream of ‘the Greater Somalia’ (Porter, The Ogaden War, 1984). The attempts to secede were witnessed with four years' war between the *Shifita* an *Amhaaric* word for bandits and the Kenya Armed Forces resulting into tens of thousands of civilian deaths (The TJRC, 2012). Notably, the secessionist aspirations and financial

support for about 2000 *shifita* fighters was by the Somalia Government (Atta-Asamoah, The Nature and Drivers of insecurity in Kenya, 2015). Somalia Radio stations and Newspapers propagated the message that the NFD Somalis should rise up against the Government of Kenya, a call they embraced. In this, they volunteered to be conscripted into the Army when about 4,000 males went to Belles Qooqani and Ras Kamboni, in Somalia for the military training (Ichani, Matheka, & Wario, 2019). *Shifita* militia targeted Kenya Government officials and civilians perceived to be sympathizers. A former *Shifita* fighter stated that, “for those who defied the movement, the result was devastating. Men would be castrated and their women raped...the best punishment for a betrayer” (Whittaker, 2015).

The beginning of the fall of Somalia was conceivably when Somalia invaded Ethiopia in 1977 in order to reclaim ‘one of the stars’ symbolized in the Somalia flag. The Somali National Army jointly fought alongside Western Somali Liberation Front (WSLF), a guerrilla movement funded by the Somalia State. Ethiopia was on a verge of fall, were it not for the massive Soviet-Cuban intervention (Porter, The Ogaden War, 1984). The defeat of Somali National Army greatly weakened President Siad Barre grip onto power. This saw proliferation of clan-based militia groups opposed to his rule and others in support of him. He eventually lost control of his Government on 26 January 1991. The hallmarks of the State failure were still evident today; the peace was still elusive. The country had transited through various regimes of clan based militia, warlords and now the ideologically based armed group: Al Shabaab (Turbiville, Meservey, & Forest, 2004). Al Shabaab had embarked on external attacks alongside having strong connections with Al Qaeda. The agenda was to create an ‘Islamic’ caliphate (Tar & Mustapha, 2017). This was a threat to all countries in the Horn of Africa (HoA) and beyond.

Despite the continuous metamorphosis of the Somalia conflict, regional and international bodies, had attempted to stabilize the collapsed State of Somalia. However, due to the asymmetrical nature of the enemy being fought in Somalia (Africa, 2019), it was challenging to bring peace to bear. The enemy, Al Shabaab had intensified attacks in Kenya, in a larger scale than in any other Horn of African (HoA) country. This was arguably attributed to the media freedom in Kenya that publicized Al Shabaab activities, availability of many soft targets, a sizable number of Al Shabaab foreign fighters recruited from Kenya, and a democratic space that advocates

for the rule of law when handling terrorist suspects (Cannon & Pkalya, 2019). Though, evidence had indicated that Al Shabaab had made successful recruitment bases in United States of America and in other Western countries targeting resettled Somali refugees and non-ethnic Somalis (Malet, Priest, & Staggs, 2013). Internally, the marginalized groups like Rahanweyn clans and Somali Bantus, contributed significantly to Al Shabaab rank and file in order to get protection (UN-Somalia, 2018).

The conflict in Somalia, had rendered the country in a protracted situation in proliferating illegal firearms (Geneva, 2012), internal displacements and refugee problem (WorldBank, 2019), smuggling and cross border trade (Little, 2013). This had affected negatively the economy and security of the neighboring countries. Further, the plight of civilians in Somalia became a major concern (Williams, 2013). This directly translated that, the Somalia problem was a challenge for all HoA countries and could not be wished away.

Kenya Defence Forces (KDF) was integrated into the African Union Mission in Somalia (AMISOM) to support the Somalia Government in fighting Al Shabaab. Earlier on, Kenya hosted several conferences on peace-building, she was the home of thousands of refugees and had provided an investment opportunity for the Somalia diaspora. Positively from Somalia to Kenya, she had visa-on-arrival arrangements to allow Kenyans ease of doing business, she had also provided employment opportunities to hundreds of Kenyans in corporate, aid, service and hospitality sectors (Abdullahi, 2021).

Though, seemingly symbiotic relationship existed between Kenya and Somalia, unwarranted political tirades by the Somali political elites, were constantly directed to Kenya. For instance, allegations of Kenya's interference in internal affairs of Somalia and subsequent recalling of envoys (EastAfrican, 2020), the Kenya-Somalia Maritime dispute (Kadagi, Okafaor-Yarwood, Glaser, & Lien, 2020), which was at the International Court of Justice (ICJ) at The Hague. Due to the believe that the disputed area had gas and oil deposits, international players had been attracted to support either side. UK and Norway supported Somalia while the US and France supported the Kenyan side (Hattem, 2020). This situation was aggravated by repeated clashes between the Somali National Army (SNA) and Jubaland forces in competition for dominance of the Jubaland Federal Member State. This situation prompted Kenya to write to AU over concerns over refugee spill over (Kalekye, 2021). The Intergovernmental Authority on Development (IGAD), launched a fact-finding mission in response to a letter by Somalia, on allegations that Kenya was arming and training militia to fight Somali National Army at Gedo, abandoning liberated areas to Al Shabaab and violation of Somalia airspace. The findings report presented in January 2021 by IGAD team were that the allegations were unfounded and no evidence existed to support the claim. On receiving the report of the findings, Somalia threatened to withdraw from IGAD (AFP, 2021).

Eritrea, Ethiopia and Somalia formed Horn of Africa Cooperation (HoAC) regional organization. This cooperation brought together otherwise, erstwhile enemies who had at one time embarked on a conventional war between each other. Somalia invaded Ethiopia over Ogaden region while Ethiopia and Eritrea fought border war which claimed many civilian casualties from both sides. The formation of HoAC presented a direct competition to, Intergovernmental Authority of Development (IGAD), African Union (AU), Eastern Africa Standby Force (EASF), Common Market for Eastern and Southern Africa (COMESA) and East African Community (EAC). Further, the formation of Horn of Africa Cooperation (HoAC) was an attempt to tame Kenyan hegemonic aspirations in the HoA region (Henneberg & Stapel, 2020). Possibly through the spirit of HoAC, Somalia had threatened to replace Kenyan troops in African Union Mission in Somalia (AMISOM) with Eritrean troops. Further, Eritrea was helping in training Somalia troops (MarketWatch, 2020). Additionally, similar cooperation was witnessed when Eritrean forces fought alongside Ethiopian troops in pursuit of fugitive leaders in Tigray region (Aljazeera, 2021).

II. METHODOLOGY

The study used both secondary and primary sources. Secondary data was derived from electronic and print books, scholarly electronic and print journals, magazines, bulletins and internet sources. The primary data was collected using qualitative data collection methodologies. The study employed key informant interviews to gather information from 28 respondents. The sample population included a number of key government stakeholders in the Kenyan and Somalia governments, Kenyan and Somalia military officers, Somalia citizens in diaspora. The researcher settled on semi-structured interviews as they provided the interviewees with an opportunity to freely express their real experiences and opinions of state-building initiative. The study also employed focus group discussions to gather information from opinion leaders in Somalia. They included 8 community leaders, who made up 1 Focus Group Discussion (FGD) and 12 religious leaders, who made up another FGD. The data collected was analyzed using content analysis. Under this technique, the researcher started by cleaning and sorting the data before coding it. After that, the researcher, with the help of 3 independent professionals, interpreted patterns before arranging the analyzed data into themes. The professionals were enlisted to prevent biasness.

III. DISCUSSION

State Collapse in Somalia, Cross-Border Proliferation of Security Threats and The Somali Peace Processes

The Ogaden War of 1977-1978, was immediately followed by the Somaliland Liberation War of 1987-1991. It was in 1991, when the Siad Barre regime collapsed. The Ogaden war destroyed the credibility of the Somalia Government in the eyes of its citizens. The believe that the Government was the guarantor of Pan-Somali nationalism was shattered. Finally,

the locals who had harbored feelings of being marginalized got an opportunity to rise up against the Government of Somalia. In retrospect, the results of the Ogaden war, was a massive influx of Somali refugees on the northern Somalia, where one out of four Somalis was a refugee. This exerted pressure on the available resources, causing tension between the local populations. The local population of Isaaq clan, felt disadvantaged by the influx of refugees on its domicile territory. Further, the Siad Barre Government aggravated the situation when he recruited the refugees into the Army to help in suppressing the local rebellion by Somali National Movement(SNM) in Somaliland. This enhanced the tensions between the local Somalis and refugees. (Ahmed & Green, 1999).

The above mentioned causes of Somalia State collapse had been challenged by other schools of thought. The scholars argued that the social fiber of the Somali society remained unscathed even after the civil war. Further, they stated that the economic mismanagement by Siad Barre regime was the main cause of the state collapse. This was after abandoning the experiment of Scientific Socialism of 1980s and lacking clear Government economic strategy. The public debt had soared to a whopping US\$ 1.9 billion. The uncontrollable expenditure on defense further aggravated the economic situation in the country but made Somalia to be among Africa's most militarized States (Ahmed & Green, 1999).

The result was decline of the quality of life of the local citizen, neglect of infrastructure development, inability to deliver social services and amenities. Food insecurity arose and competition for resources was pronounced especially between Hawiye and Daarod for control of Juba and Shabelle river valleys. The donors were not willing to invest in infrastructure and human development. Drought caused competition for water and pasture, resulting into clan conflicts (Mbugua, 2013).

Following the collapse of the Somalia Government in 1991, education was not available to the Somali youths. This led to very high levels of illiteracy, lack of economic opportunities, unemployment, breakdown of family and social ties and other cultural inhibitions (United Nations Development Programme, 2012). The youths became vulnerable to be recruited into militia groups, terrorist organizations and into piracy. Piracy was pronounced in the gulf of Aden which was a corridor to the Suez canal (Singh & Bedi, 2012).

Somali piracy, owing to the proximity of Somalia to Kenya, greatly reduced maritime security in Kenya due to the fact that there was increased exploitation of maritime spaces as well as their attendant militarization by the pirates and their subsequent use as extractive spaces. In addition, Somali maritime piracy increased Kenya's maritime transport cost. First, since 2008 ship-owners had to re-route their ships to avoid dangerous waters which led to high cost that had to be passed on to the final consumers in the country of destination. However, this translated into higher costs of goods on reaching the country of destination. Secondly, based on the

claim of insurers and insurance companies loaded their premiums on maritime freights thus leading to high operational costs. Thirdly, some shipping lines totally avoided transporting through piracy prone areas thus making goods very expensive. The study also established that Somali piracy affected import /export trade in Kenya to a very great extent (Wetangula, 2013).

The Islamist insurgency in Somalia had also affected the security of northern Kenya. It had made it difficult to do business especially for individuals who were not natives of the region. Delivery of Government services and infrastructure development was adversely affected by the insecurity. The humanitarian workers could not work freely, as they risked being kidnapped. The UN had classified northern Kenya as phase-three security zone, where every convoy had to move under armed escort. Thus programmes dealing with reproductive health, sanitation, food security and education, were adversely affected (IRIN Africa, 2010).

The today's terrorists' groups from Somalia were a product of anarchy which created non-securitized spaces. Majority of these terrorists were veterans returning from Mujahedeen expedition in the then Soviet occupied Afghanistan resulting in the Soviet-Afghan War of 1979-1988 which led to the soviet withdrawal from Afghan. The Mujahedeen, inspired by victory in Afghanistan, the Soviet-Afghan War veterans turned their eyes towards the West largely seen as acquiescing in the Palestinian question. These Mujahedeen turned terrorists found safe haven in lawless Somalia. The net effect was a spill-over of terrorist activities from Somalia into Kenya starting with attacks on Western interests in the country (Laing, 2013).

The collapse of the Somalia State did not go without international and regional attempts to salvage the country and avert a humanitarian disaster. The United Nations (UN) and the regional body, Intergovernmental Authority of Development (IGAD) had played a significant role. The United Nations (UN) played a key role in support of Intergovernmental Authority of Development (IGAD) and African Union(AU). United Nations Operations in Somalia (UNOSOM), was the first notable effort by UN to intervene in Somalia in an attempt to resolve the conflict between warring factions (Bouldin, 2001). However, some blame was laid on the UN as a catalyst for consolidation of fighting amongst clan-based factions (Compagnon, 1998). It was claimed that the UN mission offended Habr Gedir clan faction led by Muhammad Farah Aideed. The United Nations Security Council Resolution(UNSCR) 733, was passed in January 1992, to impose an embargo on delivery of weapons to Somalia. The UN, went further to attempt to resolve the stalemate between the warring clan based factions of the United Somali Congress-Aideed (USC-A) led by General Mohamed Farah Aideed and United Somali Congress-Mahdi (USC-M) led by Ali Mahdi. The United Nations Security Council Resolution (UNSCR) 794 of December 1992 changed the mandate of the mission from peacekeeping to peace-

enforcement operation, allowing the Unified Task Force (UNITAF) to use force (Bouldin, 2001). The major task UNITAF was to control strategic locations within Mogadishu alongside opening up the Main Supply Routes (MSR). Even though the mission was tasked to disarm the clan based militia groups, it was not successful in delivering on the mandate. Violence continued unabated mostly targeting civilians, security along streets in Mogadishu could not be guaranteed. This worsened when the UNITAF stopped conducting street patrols in preference of air strikes (Brons, 2001). The extensive use of air strikes caused civilian casualties which stirred animosity between the UN forces and the civilian population (Thomas, Kiser, & Casebeer, 2005).

The UN made notable progress in saving the lives of Somalis from hunger and starvation, enabled conducive environment for creation of local non-governmental organizations, provided employment to local Somalis, improved security in areas controlled by UN forces, reopened Mogadishu seaport and airport. However, further UN efforts were curtailed by radical stance of Somali warlords, competing interests to influence the crisis in Somalia by some countries especially Ethiopia and Egypt (Lederach & Stock, 1993).

In the end, UNOSOM withdrew from Somalia by March 1994. After the withdrawal, the UN adopted an indirect way of advancing the path of peace and reconciliation through local leaders, civic organization and other contacts who could facilitate the cause for peace in Somalia. The task was later taken by regional organizations like IGAD (Watch, 2007). The IGAD, convened a Somali National Reconciliation conference in Kenya from October, 2002 to late 2004. The conference was mediated by Kenyan diplomats, supported by UN and paid for by European Union. This conference was to reconcile the Ethiopian backed Somali Restoration and Reconciliation Council (SRRC) opposition and the Djibouti-backed Transitional National Government (TNG) (Healy, 2008). The reconciliation process bore fruits, when the conference endorsed the Transitional Federal Charter while agreeing to establish a Transitional Federal Government (TFG) with a mandate to govern for five years and Abdullahi Yusuf was chosen as the president in October 2004. The TFG was to implement agreed transitional tasks, establish security and draft the Somalia Constitution (Farah, 2011).

The Peace process was heavily influenced by Ethiopia. The proposed Transitional Federal Charter, fronted federal State structure for the Somalia State. The conference was attended by factional, Political and Military leaders, traditional elders and civil society (CRD, 2003). The TFG was inaugurated in December 2004 and attracted immediate International support. TFG in Somalia, was viewed as a tool for Ethiopia. Opposition group formed in Mogadishu, to oppose the TFG from setting a foothold in the capital. Later in 2006, Islamic Courts Union took over control of Mogadishu and most of South Central Somalia. It posed the immediate challenge to the TFG which had the backing of Ethiopia. The Arab League and Khartoum mediated between the ICU and TFG with no

success. Thereafter, the ICU threatened Ethiopia with Jihad, prompting Ethiopia to move troops into Somalia, whereby they swept ICU from power and established the TFG in Mogadishu (Farah, 2011).

Contestations on the Somali Peace Processes

Literatures on the peace processes in Somalia have focused on the success and failure of these peace processes. This has come at the expense of glossing over the dynamics underpinning these peace processes. In seeking to explore this under-explored dynamics, a number of scholars have examined why the pursuit of peace in Somalia has been bedeviled with so many bottlenecks. Some have explored the spoiler status of domestic and external actors to the conflict. The problems of spoilers in peace processes has been examined by Stedman (1997) who argues that spoilers emerge as actors to a conflict with the perception that the conflict resolution will jeopardize their status. This makes them craft ways of undermining these peace efforts (Stedman, 1997).

According to Stedman (1997), in peace processes, there are four major problems associated with spoilers. The first problem is concerned with the position of the spoiler in the peace process i.e., inside (centrally or marginal) or outside (Stedman, 1997). The second problem concerns their number. To Stedman (1997), in many peace processes, there are more than one spoiler. Since dealing with each spoiler may necessitate different approaches, the dealings with one spoiler are likely to affect the dealings with the others and thus prolong conflicts. Another major problem of spoilers concerns the type of goals they have and their commitment to those goals. Stedman (1997) identifies three types of spoilers based on their goals. Limited spoilers for instance have few and specific goals. On the other hand, total spoilers have goals which include demands for total hegemony over the peace process while the greedy spoilers keep adjusting their demands based on calculations on gains and losses (Stedman, 1997).

According to Kasaija (2010), spoilers existed both within and without Somalia, and they had interfered with initiated peace processes. Sometimes, spoilers were created by the peace process initiators themselves. For example, in the UN-led Djibouti peace process, the exclusion of some parties to the Somalia conflict, generated spoilers for the aforementioned peace process and subsequent ones as well. Moreover, the Djibouti process resulted in 'winners' and 'losers' thus resulting in a new locus of grievance among the excluded parties. This process mirrored the Sodere and the Arta peace processes which was also scuttled with spoiler parties invoking the anti-Ethiopian sentiments. Within Somalia, the drumbeats of clannism, was a major hindrance to inclusivity in peace agreements. Moreover, clannism as an identity had been heavily propelled into the DNA of Somali politics to the extent that other forms of identity such as the ethno-linguistic identity of Somali had been relegated to the periphery of the political space (Kasaija, 2010).

The business elites who thrived in free economy, not controlled by Government through regulations and taxes, in addition to some having cut some business spheres of influence, contributed greatly to instability and derailment of peace processes. They financed local militia to secure their economic spheres of influence, indirectly contributing to insecurity. To LeSage (2002), such cadre of businessmen, dreaded that installation of law and order by a State identity would levy financial obligations and regulations which may lower their unfettered profits (LeSage, 2002).

This argument of having some elites benefiting from the lawlessness and supporting its continuation, was supported by other scholars such as Englebert (2009) who postulated that the Stateless Somalia had witnessed rise of a class of criminal gatekeepers comprising of, first, what Somalis referred to as “black cats”; who mercilessly levied taxes and occasionally took away humanitarian aid from the needy population; secondly, unscrupulous Government officials who perpetuated corruption and lawlessness, thirdly, influential individuals who capitalized on instilling fear through creating insecurity to assert their control; and finally, the Al Shabaab terror group (Englebert, 2009).

Interesting argument was advanced by Leeson (2007) who focused on the utility of instability in Somalia’s development. According to Leeson (2007), anarchy had brought positive development to Somalia. This was in comparison to the Siad Barre regime which had brought the growth of Somalia to its knees in the pre-1991 era. The author anchored his thesis on the premise that if a Government was not checked, it could bring down the state of the welfare of its citizens to levels below those of statelessness. Additionally, Leeson (2007) argued that Somalia was better under anarchy than when it was under Siad Barre Government. He stated that the Somalis had better opportunities to progress economically (Leeson, 2007).

Furthermore, besides having internal players hindering stabilization in Somalia, there were external players keenly observing the direction in which the peace initiatives in Somalia took. In the case of Egypt, Cairo had used the conflict in Somalia as a pawn in its hydro political competition with Ethiopia over the Nile waters. As such, Egypt had sought to prolong the conflict in order to bog down Ethiopia in the Somali conflict. Moreover, prior to the ascension to power of Ahmed Abiy, Ethiopia and Eritrea fought proxy wars in Somalia, by supporting opposing camps. When Ethiopia invaded Somalia in 2006, Eritrea provided support to the Islamic Courts Union (Kasaija, 2010).

According to Kasaija (2010), Ethiopia had been a regional total spoiler as she sought to control the outcome of the peace processes in Somalia. This could be seen in Ethiopia’s role in undermining the two most important peace accords in the tumultuous Somali peace process, Sodere and the Arta Agreement of 2000 (Kasaija, 2010). These sentiments were shared by Miti (2010) who argued that Ethiopia had pursued interests that mirror that of Washington and which were

predicated upon delaying stability in Somalia until it led to a secular state with no role for religion and/or religious doctrines. In the mid-2000s for instance, the emergence of the Islamic Courts Union brought a semblance of a unified administration over Mogadishu and most of Southern Somalia (Miti, 2010).

The Islamic Courts Union held the fabric of governance together using tenets of governance enshrined in the Islamic *sharia* laws. However, in the wake of the post-September 11 era and the paranoia enmeshed in Islam’s identification with fundamentalism, Washington feared that a stable Somalia would become the new terror haven following the American incursion into Afghanistan from where Islamic terrorism against the West would be waged. On the other hand, Addis Ababa feared that Islamic fundamentalism would be used as the locus for pursuing Somalia’s irredentist motives of the 1970s and the 1980s. This mutual dread led to the refusal to recognize the Islamic Courts Union as a legitimate regime and the subsequent labeling of the ICU as a platform for Islamic radical groups (Miti, 2010).

Additionally, the United States financed militias and warlords leading to open confrontations between the Islamic Courts Union and the warlords, organized under the Alliance for the Restoration of Peace and Counter Terrorism (ARPTC) in early 2006. While the American-backed Warlords’ alliance was easily defeated by the ICU in June 2006, the United States and Ethiopia pursued the overthrow of the Islamic Courts administration by backing the Ethiopian invasion of Somalia. The overthrow of the ICU led to the re-emergence of the warlords, the worst fighting since the power wars of the early 1990s and later the emergence of the Al Shabaab terrorist group (Miti, 2010).

Prospects for Kenya in Somalia Peace And Stability

The ‘good neighborhood’ Kenya enjoys with her East African Community (EAC) partners; Tanzania, Uganda, Rwanda, Burundi and South Sudan had created an environment enabling increase in the trade, amongst EAC members by 122% (Umulisa, 2020). The EAC block had given Kenya access to expanded market with increased exports, increased employment opportunities for her citizens, facilitated trade negotiations with United Nations Conference on Trade and Development (UNCTAD) and other international trade organizations, coordinated improvement and development of communication and transport sector within member countries, free movement of people and goods across borders, ease to attract Foreign Direct Investment (FDI) and growth of Gross Domestic Product (GDP) among EAC members (Nyakoe, 2020). The European Union (EU) report indicated that arising from Economic Partnership Agreements (EPAs), EU was the first EAC trade partner for exports amounting to 25.3% (EU, 2014). However, Kenya-Somalia interaction in this economically beneficial platform was missing. This was because Somalia application to join the EAC was delayed to give her time to meet the criteria set out in the EAC protocols (Garowe, 2020). However, Kenya and Somalia were members

of Common Market for Eastern and Southern Africa (COMESA). Somalia was admitted as a member of COMESA in 2018 (Chetty, Suliman, & Pillay, 2018). The membership of Kenya and Somalia in a common economic block especially the EAC, could provide an opportunity for both countries to interact in formulating economic policies favorable to both countries.

On continental sphere, cooperation between Nigeria, Niger, Cameroon, Chad and Benin resulted into the formation of Multinational Joint Task Force(MNJTF) in 1994 and revamped on 2015, with an objective of coordinating a regional response to counter Boko Haram attacks. It had troops drawn from all the countries forming the MNJTF. The MNJTF drew its legitimacy through authorization by the African Union(AU) to carry out regional operations against Boko Haram (Mahmood & Ani, 2018). This spirit of cooperation in East Africa, was exemplified in the joint operation along Kenya and Uganda border, when Kenya Defence Forces(KDF) and Uganda People's Defence Forces (UPDF) were deployed in 2010. They were deployed to disarm the Karamojong and Pokot communities. The two communities were in possession of large quantities of small arms which they used in cattle rustling along causing insecurity along the Kenya-Uganda border (IRIN, 2012). Kenya and Somalia were both members of Eastern Africa Standby Force(EASF). EASF was mandated to enhance peace and security through capability to deploy Military, Police and Civilian components to restore peace and order in trouble spots within Eastern Africa. Further, EASF often planned joint military exercises amongst its members (Bayeh, 2014). Opportunity for Kenya and Somalia through EASF, to participate in a joint military exercise could ease tension and suspicion between the two countries. Further, this could enhance joint planning for cross-border security operations in pursuit of Al Shabaab.

The countries in the Lake Chad region, cooperated and identified the common vulnerabilities on which Boko Haram thrived on. They included limited State governance structures, underdevelopment which indirectly led to unemployment, environmental degradation leading to competition for meagre natural resources and finally the change in social structures together with dynamics in the religion. Upon identifying the enabling factors, the Lake Chad region countries developed a common approach to mitigate the Boko Haram threat (Mahmood & Ani, 2018). Kenya-Somalia border shared common vulnerabilities including inter-communal conflicts over water and pasture, threat from Al Shabaab, underdevelopment and high unemployment rates amongst the youths. However, Kenya had started tackling the challenges by devolving resources for development through County Governments, restructuring of security services, development of infrastructure and civil society engagements targeting mostly conflicting communities (IRIS, 2015). Somalia had not been able to tackle the vulnerabilities and challenges on the other side of her border, as it was not able to overcome Al Shabaab threat without international support. However, the

opportunity was there for Kenya and Somalia to form a common front against the vulnerabilities and Al Shabaab threat.

Elsewhere in Africa, the Bakassi Peninsula became a contested territory between Nigeria and Cameroon after the discovery of oil reserves. The dispute between Gabon and Equatorial Guinea was over hydrocarbon potential of Mbanie, Cocotiers and Congas Islands. Boundary dispute between Namibia and South Africa was over areas endowed with marine resources. Most States had embraced joint development agreements as an amicable solution assuring win-win for disputing parties (Kadagi, Okafaor-Yarwood, Glaser, & Lien, 2020). The insistence by Somalia to have the case resolved by the International Court of Justice (ICJ) at The Hague, would produce a winner and a loser. This may be the beginning of the next cycle of conflict. If Somalia wins, Kenya may claim some territory from Tanzania. This may cascade claims downwards up to South Africa. If Kenya wins, it will further stir the conflict between the two countries, even motivating Al Shabaab who have used the maritime dispute to propagate their narrative of 'foreign occupation' (Shahow, 2019). In this regard, win-win solution is to have a joint development agreement. Kenya and Somalia will win, thus having two winners but there will be one loser who is Al Shabaab.

Somalia, had equally engaged in integration. Against the expectations, in 2020, Eritrea, Ethiopia, and Somalia came together to form a new regional bloc referred to as the Horn of Africa Cooperation (HoAC) (Panke & Stapel, 2018; Panke, Stapel, & Starkmann, 2020). According to Henneberg and Stapel (2020), this development enhanced the common practice in the Horn of Africa(HoA) of bringing competing regional interests to play within the context of Somalia conflict. As such, this proposal by Ethiopia, Eritrea, and Somalia was viewed to aim at reducing the Kenyan political influence in the region (Henneberg & Stapel, 2020). Positive view, indicates that Somalia had become of age to engage in multilateral agreements. This is a prospect to be viewed positively for Kenya to engage Somalia and establish bilateral relations which benefit the two countries in addressing the common vulnerabilities, fight Al Shabaab, job creation for citizens of both countries, addressing the refugee question, development of transport and communication infrastructure.

Article 51 of the UN charter, authorizes the right to self-defence (UN, Article 51). Kenya Defence Forces has a constitutional mandate to protect the sovereignty and territorial integrity of Kenya (KenyaLaws, 2012). The mentioned article and laws, gave Kenya the legitimacy to pursue Al Shabaab into Somalia after they embarked on kidnap venture of tourists and humanitarian workers (Atta-Asamoah, Responses to insecurity in Kenya: Too much,too little,too late?, 2015). Further, Kenyan youths were getting radicalized into extremism and joining Al Shabaab (Botha, 2015). Studies on the effects of Al Shabaab attacks had indicated that tourism industry was negatively affected

following travel advisories and bans by the countries which were the main tourist sources. Additionally, the attacks had caused diversion of foreign direct investments and redirecting of public investment funds to security (UNDP, 2017). Besides, Al Shabaab was domiciled in Somalia, where it sought to establish an Islamic State and extend its tentacles (Felter, Masters, & Sergie, 2020). Faced with that reality of extended attacks from Al Shabaab alongside the threat of radicalization of Kenyan youths, negative effect on tourism and foreign direct investment, there was need for Kenya to support Somalia in routing out Al Shabaab.

IV. CONCLUSION

Since independence, the diplomatic relations between Kenya and Somalia had been sour until the Collapse of the Somalia State in 1991. This notwithstanding, Kenya midwived the IGAD led peace process which brought together all factions to agree on a Transitional Federal Government (TFG) and elected its first President. The present Somalia Government was born from the initiative hosted in Kenya. This was in addition to supporting Somalia refugee population and contributing troops to the African Union Mission in Somalia (AMISOM). Somalia had equally provided employment and investment opportunities for Kenyans in Somalia. It had facilitated the ease of doing business for Kenyans in Somalia.

Despite the signature of good relations between Kenya and Somalia, politics of rivalry emerged and dominated the diplomatic relations between the two countries. Further, the maritime dispute at the International Court of Justice (ICJ) at The Hague, if decided in favour of Somalia, may prompt cascading claims downwards up to South Africa. If decided in favor of Kenya, it would embolden Al Shabaab and their claim of 'foreign occupation' along stirring Pan-Somali nationalism. Leaving the option of joint development agreement as the only viable option.

The regional bodies like EAC, IGAD, EASF, COMESA provided the best opportunity for Kenya and Somalia to engage. Diplomatically, they could build trust as they interact economically and politically. EASF provided for the security agencies to interact and plan common strategy to tackle Al Shabaab threat. Further, arising from the confidence built between Kenya and Somalia, identification and addressing of common vulnerabilities along the shared border would become possible.

It had been demonstrated that 'former enemies' can enter into an agreement and be in cooperation. This was demonstrated with the formation of the Horn of Africa Cooperation (HoAC) between Somalia, Ethiopia and Eritrea. Ethiopia and Eritrea had recently engaged each other in some border war which claimed lives of civilians from both countries. Ethiopia and Somalia fought in the Ogaden war. If cooperation was possible between Ethiopia, Eritrea and Somalia, it was also possible for Kenya and Somalia.

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