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**Security Threats Affecting the Potential of Kenya's  
Maritime Domain****Col Peter Mwangi Muiruri**  
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Department of Diplomacy and International Studies,  
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*The prosperity of societies is dependent on their ability to utilize the readily available resources in their environment. This study set out to identify the traditional and non-traditional maritime security threats that are hindering the prospects of Kenya's maritime domain. A country's maritime domain is capable of generating numerous benefits in the form of food, transportation, mineral extraction, energy, scientific research, biotechnology, tourism and recreation, and human settlement. Maritime insecurities however hinder coastal states' dominion and use of their maritime resources. The study employed the securitization theory that supports that extreme security issues must be labelled as threats. A descriptive research design was applied in order to explain the real situation on the ground. The study utilized secondary resources to determine the potential of Kenya's maritime domain and the security challenges within. The data collected was analysed using content analysis method. The study established that Kenya is richly endowed with resources that could help grow its fisheries industry, solve the country's nutritional challenges, increase its foreign exchange earnings, and improve its regional status. The security challenges of UUI fishing, maritime border disputes, drug trafficking, human trafficking, maritime terrorism, piracy, and marine pollution and ocean acidifications were identified. It was recommended that an effective security strategy should be developed to eliminate these issues.*

**Key Words:** Maritime security, global warming and maritime domain

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## 1.0. Introduction

The maritime environment has a wide range of resources that have the potential to spur economic growth and provide others socio-economic benefits. The resources include among others, fish and other seafood supplies, biological diversity, minerals, oil and gas, unique ecosystem like coral reefs, and much more. These resources generate numerous benefits and essential opportunities for the world economy in the form of food production, transportation, mineral extraction, energy, scientific research, biotechnology, tourism and recreation, and human settlement. Despite all this, maritime insecurity, however still creates uncertainty to the coastal states' dominion and use of their maritime resources.<sup>1</sup>

The achievement of maritime safety is dependent on the efforts by the stakeholders like the multi-governmental institutions, governments, non-governmental actors and even individuals. When their efforts are ineffective, the maritime domain becomes vulnerable to criminal actors. Maritime security is a prerequisite for maritime resources exploitation to guarantee wealth creation for nations and more so to improve the welfare of the coastal communities. Kenya is one of the countries that are richly endowed with aquatic resources and this presents diverse opportunities to grow the blue economy sector, and to supplement what the traditional sectors are contributing to the larger economy. However, the maritime resources remain to be largely underexploited, and are also hindered by maritime security issues.

Due to the potential that Kenya's maritime domain holds, in recent years it has been featuring in various international economic debates. This is because, now more than ever before, the government recognizes the linkages between blue economy and sustainable economic growth. The security challenges in the marine environment however can hamper the dreams of realizing the blue economy potential. Maritime insecurity and instability undermine the ability of the state to protect and harness the blue economy resources, secure trade routes and ensure development of the coastal communities.<sup>2</sup> In view of this, this study sets out to examine the nature of Kenya's maritime security challenges.

## 2.0. Theoretical Framework

The study is anchored on the securitization theory that posits that security policies are not naturally given, but are carefully constructed by decision-makers or the securitising actor. The theory was first proposed in the 1990s, and developed by Barry Buzan, Jaap de Wilde, and Ole Waever.<sup>3</sup> Securitization theory holds that, an issue becomes an extreme security issue after the securitising actor labels it as a threat. Then, the issue shifts from a low-priority concern into a priority issue that should be resolved urgently. Therefore, the core tenet of this theory is that threats are constructed, but the claim must be presented by actors who have authority over the matter of security. This theory is relevant to this study as it supports the securitization of actors by labeling a security issue as a threat. This study therefore has identified the issues that maritime security institutions and agencies have labelled as threats, and are hindering Kenya from realizing the full potential of its maritime domain. Also, the issues labelled as threats become priority as their urgent resolution becomes necessary.

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<sup>1</sup> Mwangi Charo, Alfred. "Role of Maritime Policies and Strategies in Shaping the Maritime Security Threats in Kenya." *African Journal of Empirical Research* 2, no. 1&2 (2021), 115-131. doi:10.51867/ajer.v2i1.18.

<sup>2</sup> Kitimo, Anthony. "Africa Still at Sea over Its Vision of a Thriving Blue Economy." *The East African*. Last modified August 12, 2021. <https://www.theeastafrican.co.ke/tea/news/east-africa/africa-still-at-sea-over-its-vision-of-a-thriving-blue-economy-3508748>.

<sup>3</sup> Eroukhmanoff, C. "Securitisation Theory: An Introduction." *E-International Relations*. Last modified May 7, 2020. <https://www.e-ir.info/2018/01/14/secritisation-theory-an-introduction/>.

### 3.0. The Study Methodology

The descriptive research design was found suitable for this study to explain the maritime security situation in Kenya and how it has impacted Kenya's ability to utilize this resource. Secondary data was considered as it derives from cross sectional array including peer-reviewed journals, government publications, newspapers, and reliable online sites, reports of key governmental and non-government organizations, and periodicals. The study used content analysis to analyse the qualitative data generated from secondary sources. Data has been presented in various themes to draw the interpretation of the findings.

### 4.0. Analysis and Interpretation of Findings

In this section, the study presents a thematic analysis of the findings on the key themes about security threats affecting the potential of Kenya's maritime domain. The study also presents the conclusion and recommendations in line with the prior set objectives.

#### 4.1. Potential of Kenya's Maritime Domain

Kenya's maritime domain is expansive, measuring approximately 255,420 km<sup>2</sup>.<sup>4</sup> Compared to its total land mass of 580,000 km<sup>2</sup>, it is therefore clear that the nation's maritime domain is huge, almost half of the land mass. Kenya boasts of diverse resources, particularly fish, fresh water and other aquatic life and has the potential of establishing a multi-billion dollar fish industry.<sup>5</sup> Its current annual production level stands at 25,000 metric tonnes against an estimated capacity of 150,000-300,000 metric tonnes. Kauli observes that even though it has the potential of Ksh 40 billion, it is reportedly stuck at only Ksh 5.6 billion.<sup>6</sup> The industry's contribution to Kenya's gross domestic product (GDP) has averaged at just 0.54 percent over the last decade.<sup>7</sup> These statistics are proof of the poor performance of Kenya's fisheries, though it holds massive potential to change the lives of Kenyans and the economic trajectory of the country.

Apart from the economic benefits, Kenya's vast fish resources also has the potential to resolve the issue of food and nutrition insecurity, especially in regions across the county where people still face famine and starvation. However because of low production levels, fish consumption rate in Kenya has remained among the lowest in the world, averaging at about 3-5 kg per person annually.<sup>8</sup> Despite being rich in micronutrients, essential fatty acids, and minerals compared to other foods.<sup>9</sup> Low production creates scarcity, which in turn affects the affordability of fish in the market.

The Kenyan coast has splendid beaches, good climate, cultural heritage and various beautiful sites, and so its potential of becoming the world leader in tourism is infinite. This could increase the country's foreign exchange earnings. The trend in growth of tourism earnings over the years is an indicator of its strong position in influencing Kenya's economy. According to the government's report, between 2016 and 2017, the tourism earnings rose from 99.7 billion to 119.9 billion as the number of tourists increasing from 1.34 million to 1.45 million.<sup>10</sup>

<sup>4</sup> Rasowo, Joseph O., Paul Orina, Betty Nyonje, Salome Awuor, and Robert Olendi. "Harnessing Kenya's Blue Economy: prospects and challenges." *Journal of the Indian Ocean Region* 16, no. 3 (2020), 292-316. doi:10.1080/19480881.2020.1825199.

<sup>5</sup> Mwembe, Kauli. "Fishing Industry: Sleeping Giant in Coast." Farm Kenya Initiative. Last modified January 29, 2022. <https://www.standardmedia.co.ke/farmkenya/smart-harvest/article/2001435877/fishing-industry-sleeping-giant-in-coast>.

<sup>6</sup> Ibid

<sup>7</sup> Panya, Otieno. "Improve Kenya's Fish Value Chain for Economic Growth." *Business Daily*. Last modified December 2, 2021. <https://www.businessdailyafrica.com/bd/opinion-analysis/letters/improve-kenya-s-fish-value-chain-for-economic-growth-3639592>.

<sup>8</sup> Ayuya, Oscar I., Katrine Soma, and Benson Obwanga. "Socio-Economic Drivers of Fish Species Consumption Preferences in Kenya's Urban Informal Food System." *Sustainability* 13, no. 9 (2021), 5278. doi:10.3390/su13095278.

<sup>9</sup> Chan, Chin Y., Nhuong Tran, Shanali Pethiyagoda, Charles C. Crissman, Timothy B. Sulser, and Michael J. Phillips. "Prospects and challenges of fish for food security in Africa." *Global Food Security* 20 (2019), 17-25. doi:10.1016/j.gfs.2018.12.002.

<sup>10</sup> GoK. *Ministry of Tourism and Tourism Strategic Plan 2018-2022*. 2020. <https://www.tourism.go.ke/wp-content/uploads/2020/06/Draft->

Kenya's potential as regional maritime hub is therefore underexploited. There is a wealth of business opportunities that exist in connecting East Africa to Southern and West Africa, a role that the Mombasa port can play effectively.<sup>11</sup> So far, there has been massive investment by the government in this port. Between 2017 and 2021, it widened the harbour to accommodate larger vessels and constructed a second container terminal, which are critical in putting the port on the map as a regional gateway and as an international trade hub.<sup>12</sup> Following the investments, there has been tremendous growth in port capacity.

#### 4.2. The Security Threats Facing Kenya's Maritime Domain

Due to its vast nature, Kenya's marine domain, is highly susceptible to the threat of IUU fishing. Due to the fishing resource constraints, deep sea fishing is mainly exploited by foreign vessels. These vessels are required to report their entry and exit in Kenya's exclusive economic zone and their catch data to the Department of Fisheries. Many of them however, defy these instructions by not giving accurate report, thereby concealing illegal fishing operations they could be carrying out in Kenyan waters.<sup>13</sup> UUI fishing has been the major cause of the overfishing of tuna in its EEZ. It is also a major problem in the country's inland water sources. This has negatively affected the sustainability of fish stocks in Lake Naivasha and Lake Victoria. In the Business Daily Africa, it was reported that people who commit this crime use illegal fishing equipment and can catch tonnes of fish in a single night including the fingerlings, thereby hindering breeding and maturing of fish.<sup>14</sup>

##### 4.2.1. Drugs Trafficking

The location of the Kenyan Coast makes it an important link in the global drugs network. As the heroine consignments from Afghanistan make their way towards Asia, Europe and even other parts of Africa, it is estimated that about 22-40 tonnes of heroine end up getting trafficked through East Africa.<sup>15</sup> The Heroine market is therefore one of the top underground economies in East Africa. The dhows carrying the consignments anchor in international waters and small boasts are used to offload it into commercial harbours or transport it to various beaches. Therefore, Kenya is not only a transit point but a country of destination for narcotics. The several seizures of illegal drugs that have occurred at the Kenyan Coast are proof of this major security concern. For instance, in 2004, a tonne of cocaine worth about Ksh6 billion was seized by the state security agents.<sup>16</sup> In 2014, the government destroyed a ship carrying 370.8 kg of heroine.<sup>17</sup> In 2015 it destroyed heroine worth Ksh22 million.<sup>18</sup>

##### 4.2.2. Human Trafficking

International Organization for Migration (IOM) carried out the assessment of this transnational crime in Mombasa, Kwale and Kilifi between October 2017 and February 2018.<sup>19</sup> It is because these counties are close to the ocean that

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MTW-Strategic-Plan-2018-2022-June-2020-1.pdf.

<sup>11</sup> Kinyua, Brian. "Mombasa Port on Course To becoming Africa's Trade Hub." Business Daily. Last modified May 3, 2022. <https://www.businessdailyafrica.com/bd/opinion-analysis/columnists/mombasa-port-on-course-to-becoming-africa-s-trade-hub-3803392>.

<sup>12</sup> Ibid

<sup>13</sup>The East African. "Illegal Fishing Hurting Continent's Fisheries." The East African. Last modified March 16, 2016. <https://www.theeastafrican.co.ke/tea/news/east-africa/illegal-fishing-hurting-continent-s-fisheries--1347584>.

<sup>14</sup> Mureithi, Francis. "How Kenya Coast Guards Are Confronting Illegal Fishing on Lake Naivasha." Business Daily. Last modified October 12, 2021. <https://www.businessdailyafrica.com/bd/data-hub/kenya-guards-confronting-illegal-fishing-lake-naivasha-3581220#:>

<sup>15</sup> Haysom, S., P. Gastrow, and M. Shaw. *Tackling heroin trafficking on the East African coast*. ENACT, 2018.

<sup>16</sup> Daghar, Mohamed. "Global war against drugs reaches Kenya." Last modified September 24, 2019. <https://issafrika.org/iss-today/global-war-against-drugs-reaches-kenya>.

<sup>17</sup> Nation. "Sh1.3bn Drugs Ship Blown Up at Sea." Nation. Last modified August 29, 2014. <https://nation.africa/kenya/news/Drugs-Ship-Al-Noor-Mombasa/1950946-2434958-format-xhtml-ucqlqfz/index.html>.

<sup>18</sup> Daghar, Mohamed. "Global war against drugs reaches Kenya."

<sup>19</sup> Otieno, Brian. "Mombasa Lures Sex Traffickers and Victims." The Star. Last modified August 1, 2018. <https://www.the-star.co.ke/counties/coast/2018-07-31-mombasa-lures-sex-traffickers-and-victims/>.

they have become targets for the criminal syndicates. They take advantage of vulnerable populations with the promise of better life abroad, but in actual sense, they are trafficked for labour and sexual exploitation. Men, women and children are trafficked to Middle East, Asia and Europe, but getting the actual statistics for this transnational crime is difficult since it is largely underreported.<sup>20</sup> There is also an emerging pattern in this crime where people are trafficked for organs harvesting.<sup>21</sup>

#### 4.2.3. Maritime Terrorism

The threat of terrorism on Kenya's maritime domain is very high, majorly because of its proximity to the war-torn Somalia. Murphy mentions a number of preconditions, which makes Kenya highly susceptible to maritime attacks, including geographical proximity, legal and jurisdiction weakness, and inadequate security.<sup>22</sup> Although Kenya might have strengthened the security measures at the port of Mombasa in recent years, corruption among security personnel or officials at the port could create an opportunity for terrorists to carry out attacks at the facility.

The Al-Shabaab attacks in Kenya increased in the last decade. This terror group has been accused of radicalizing youths at the Kenyan coast to conduct acts of violent extremism. The coastal region has the highest number of radicalized youths and are targeted because of their vulnerability, which is caused by life challenges and unaddressed socioeconomic grievances.<sup>23</sup> The use of local residents or refugees presents an opportunity for Al-Shabaab to augment their terror operations on Kenya within its maritime environment with limited resistance.

#### 4.2.4. Piracy

The number of piracy incidents in Kenya's maritime domain and also in other East African coastal countries is limited. However, it does not mean that the risk has been alleviated. The risk remains high due to the criminal networks linked to piracy that are also responsible for a wide range of other transnational crimes that prevail today, such as trafficking. Piracy is a crime of opportunity and the attackers are usually organized and controlled by larger syndicates that are well organized and have the capacity to move stolen cargo and illicit spoils. In spite of the fluctuation in the rate of vessels attacks, the syndicates are still highly active and involved in many other criminal activities. The criminal links that support piracy are steadfastly in place and currently are supporting other criminal enterprises. The offences that are committed by pirates include illegal imprisonment, aggravated theft, maltreatment, hijacking of sea vessels and several other offences. Overall piracy remains a threat as it is rooted in political instability which is still a problem in several East and West African states.

#### 4.2.5. Maritime Border Dispute

The maritime border row between Kenya and Somalia is a security threat to Kenya's ambition of growing as a transport and logistics hub of East Africa. The two countries are disputing over a resources-rich area in the Indian Ocean. The case was presented before the International Court of Justice (ICJ), and after many years of unfruitful discussions, the ICJ finally gave its verdict in 2021 and the ruling was in favour of Somalia. Kenya has since rejected the ruling to which the former President of Kenya Uhuru Kenya termed as "erroneous".<sup>24</sup> This dispute is precarious to a great extent, especially to Kenya's national security at sea and even on land. Kenya has already paid a heavy

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<sup>20</sup> Overview of Serious and Organized Crime in East Africa

<sup>21</sup> Ibid

<sup>22</sup> Murphy, Martin N. "Chapter Two: Maritime Terrorism." *The Adelphi Papers* 47, no. 388 (2007), 45-72. doi:10.1080/05679320701508112.

<sup>23</sup> Chitembwe, S. J., P. G. Okoth, and F. K. Matanga. "The Nature, Extent and Impact of Youth Radicalization in Mombasa and Kwale Counties, Kenya." *OALib* 8, no. 6 (2021), 1-21. doi:10.4236/oalib.1107386.

<sup>24</sup> Al Jazeera. "Kenya Rejects ICJ's Verdict on Somalia Maritime Border Row." Breaking News, World News and Video from Al Jazeera. Last modified October 13, 2021. <https://www.aljazeera.com/news/2021/10/13/kenya-rejects-icjs-verdict-on-somalia-maritime-border-row>.

price for sending its troops to fight the Al-Shabaab in their safe haven, Somalia. Now, by rejecting the verdict, Kenya is once again at loggerheads with its neighbour, and this has upset diplomatic balance between the two nations.<sup>25</sup> The growing tensions between the two countries complicates the anti-piracy efforts in the Indian Ocean. However, the current President of Republic of Somalia has shown a friendly face towards Kenya whether this will translate to fruitful future discussion is a matter of wait and see.

#### 4.2.6. Pollution and Acidification of the Maritime Resources

Rapid population growth and coastal development are a cause of the problem of marine pollution. Pollutants reach the coastal waters through direct deposit, runoff or atmospheric fallout. With this, marine pollution and acidification becomes a serious environmental concern. This is a consequence of high levels of carbon dioxide (CO<sub>2</sub>) in the atmosphere, and when it is absorbed by the ocean in large quantities, the oceanic water becomes acidic. Sewage discharge into the coastal waters is a major source of marine pollution in Kenya. This is happening because of poor sanitation infrastructure in coastal cities like Mombasa, Malindi, Lamu, Kisumu etc. The sewage treatment facilities in some of these coastal cities can barely serve 50 percent of the population.<sup>26</sup> The continued inflow of sewage into the ocean will continue reducing the water quality such that it is incapable of supporting marine life. This intern has far reaching ripple effects to other sectors of the economy.

Oil spills, especially at the port of Mombasa, has become the other major source of marine pollution in Kenya.<sup>27</sup> The accidental spills commonly occur when vessels are loading and discharging. The Kenyan coastal waters are also part of a major shipping route in the Indian Ocean and millions of tons of crude oil pass through its waters each year, which makes the threat of pollution significant.<sup>28</sup> Oil spillage destroys mangroves because once it happens, it covers the mangrove roots thus inhibiting gaseous exchange. Other deleterious effects of oil spills are evidenced on the marine wildlife, organisms, and beaches. These occurrences therefore jeopardizes the benefits that Kenya derives from these resources.

Global warming is a global problem, and is a direct consequence of high levels of CO<sub>2</sub> emissions. The climate change problem at the Kenyan coast is evidenced by rising temperatures in this region.<sup>29</sup> The high concentration of CO<sub>2</sub> in the atmosphere is a risk for increased water acidity. Species reproduction and growth will be affected by ocean acidification, which ultimately will harm Kenya's fisheries sector, threaten food security, and decrease the shoreline protection, which could possibly ruin the beautiful beaches in the coastal region.

## 5.0. Conclusion and Recommendation

According to the study findings, Kenya's maritime domain has great potential to transform the economy and the general quality of life of the citizen. Its expansive maritime domain has an abundance of fish resources that could easily transform its fisheries sector into a multi-billion-dollar industry from the current production level of 25,000

<sup>25</sup> West, Sunguta. "Somalia-Kenya Maritime Border Dispute Could Threaten Counterterrorism Gains." 17, no. 14 (2019). <https://jamestown.org/program/somalia-kenya-maritime-border-dispute-could-threaten-counterterrorism-gains/>.

<sup>26</sup> Okuku, O. E., B. Ohowa, N. Mwangi, D. Munga, I. Kiteresi, O. Wanjeri, S. Okumu, and J. Kilonzo. "Sewage pollution in the Coastal waters of Mombasa City, Kenya: A norm Rather than an Exception." *International Journal of Environmental Research* 5, no. 4 (2011), 865-874.

<sup>27</sup> Kairo, J. G., J. Bosire, and M. Omar. *Assessment of the Effects of Oil Spill on the Mangrove Forests of Port Reitz, Mombasa*. Mombasa: Kenya Marine and Fisheries Research Institute, 2005. <https://aquadocs.org/bitstream/handle/1834/7348/ktf0404.pdf?sequence=1&isAllowed=y>.

<sup>28</sup> Ohowa, Boaz. "Assessment of the effectiveness of the regulatory regime in controlling the effects of oil pollution on Kenya's coastal and marine environment." Master's thesis, Dalhousie University, 2004. <https://aquadocs.org/bitstream/handle/1834/6845/ktf0248.pdf?sequence=1&isAllowed=y>.

<sup>29</sup> Cynthia Brenda Awuor, Victor Ayo Orindi, and Andrew Ochieng Adwera. "Climate change and coastal cities: the case of Mombasa, Kenya." *Environment and Urbanization* 20, no. 1 (2008), 231-242. doi:10.1177/0956247808089158.

metric tons per year to its potential, which is estimated at 150,000-300,000 metric tons. These resources could also help meet the nutritional needs of Kenyans facing starvation in various communities. This study reveals that the tourism industry on the Kenyan coast has great potential to offer the country huge foreign exchange earnings. Kenya has the potential to be a regional maritime hub to leverage the business opportunities that exist in connecting East Africa to Southern and West Africa. This potential however is threatened by several security issues. The study identified UUI fishing, maritime border disputes, drug trafficking, human trafficking, maritime terrorism, piracy, marine pollution and ocean acidification as the security challenges present in Kenya's maritime domain.

The study has established the magnitude of Kenya's blue economy potential as a source of livelihood, revenues for the government, and a means to improve Kenya's regional status as it remains clear that Kenya's maritime domain is not fully exploited. It has also been determined that diverse security challenges exist and it keeps hindering the country from leveraging the potentials in these key resources. The challenges therefore put the national interests under constant threat, a reason therefore suggesting that Kenya should strengthen its mechanisms of dealing with maritime insecurities.

The fact that several security issues exist in Kenya's maritime domain is a clear indication that the country lacks an effective maritime security strategy. The decision-makers must therefore understand that the prospects of the expansive maritime environment will only be fully realized when the security threats are identified and alleviated. Therefore, the country's defence policy should pay more attention to its maritime domain and identify the appropriate security strategy since the threat dynamics and intensity are likely to continue increasing in the future.

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