

**CONFLICT MAPPING AND INTERNATIONAL MARITIME DISPUTE
RESOLUTIONS; CASE OF KENYA AND SOMALIA (2014-2023)**

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DECLARATION

Student: This report is my original work and has not been presented for a degree in any other University.

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DEDICATION

This work is dedicated to my loving family and my colleagues for their continued and constant encouragement to do this Master's Program. God bless you.

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ABBREVIATIONS AND ACRONYMS

AU:	African Union
EEZ:	Exclusive Economic Zone
FMS:	Federal Members States
GIS:	Geographic Information Systems
ICJ:	International Court of Justice
IGAD:	Intergovernmental Authority on Development
JKIA:	Jomo Kenyatta International Airport
KDF:	Kenya Defence Forces
KNCHR:	Kenya National Commission on Human Rights
LOS:	Law of the Sea
MENA:	Middle East and North Africa
MFDA:	Ministry of Foreign and Diaspora Affairs
MOU:	Memorandum of Understanding
MPAs:	Marine Protected Areas
NACOSTI:	National Commission for Science, Technology and Innovation
NM:	Nautical Miles
SPSS:	Statistical Package for the Social Sciences
UN:	United Nations
UNCLOS:	United Nations Convention on the Law of the Sea
UNSC:	United Nations Security Council
USA:	United States of America

OPERATIONAL DEFINATION OF TERMS

- Conflict mapping:** Refers to identifying the underlying causes of the dispute, the parties involved, the history of the conflict, and the possible consequences of resolving or continuing the conflict.
- Conflict:** Refers to a disagreement or conflict between two or more individuals, groups, or entities, often based on different interests, values, or perspectives.
- Dispute Resolution:** Refers to the process of resolving conflicts, disagreements, or disputes between parties in a manner that is fair, efficient, and satisfactory to all involved.
- Disputes:** Refers to conflicts or disagreements between individuals, groups, organizations, or states over various issues, interests, or rights.
- International Maritime:** Refers to the activities, issues, or regulations that involve or affect maritime affairs on an international scale.
- Law of Sea:** Refers to a body of international law governing maritime issues, including rights and responsibilities of states concerning the world's oceans and seas.
- Maritime:** Refers to anything related to the sea or the ocean.
- Resolution:** Refers to the process of resolving conflicts or disagreements between parties in a constructive and peaceful manner.

Territorial:

Refers to anything having to do with territory, that is, a geographical area under the jurisdiction of a government agency.

ABSTRACT

The primary objectives of this study were to examine the causes of the maritime disputes between Kenya and Somalia, utilize conflict mapping to identify key actors and their relationships, and assess the relevance of conflict mapping by analyzing the situation across Somalia's maritime border. Grounded in the theory of securitization, the research involved a comprehensive review of relevant literature, revealing significant gaps in the existing studies. A descriptive survey design was employed to collect detailed information about the conflict's historical context, key players, legal arguments, and potential resolutions. The target audience in Nairobi, Kenya, included representatives of embassies, government officials, international relations experts, maritime professionals, and civil society members. Stratified random sampling was used to select 160 survey respondents, ensuring representation from each stakeholder group. Additionally, key informant interviews were conducted with specific individuals to gather in-depth qualitative data. The primary data collection instruments were semi-structured interview guides and questionnaires, both of which were pretested to enhance their efficacy and clarity. To ensure the validity and reliability of the data collection methods, strict protocols were implemented. Quantitative data analysis involved descriptive and inferential statistics to identify patterns and relationships, while thematic analysis was used to uncover recurring themes and perspectives in the qualitative data. Ethical considerations, including informed consent, participant anonymity, and privacy, were rigorously maintained throughout the research process. The study's findings indicated that territorial claims, overlapping exclusive economic zones (EEZs), historical disagreements, geopolitical interests, security concerns, governance issues, and legal frameworks were the primary causes of the conflict. The research provided valuable insights to the governments of Kenya and Somalia, international entities such as the United Nations, regional organizations including the African Union and IGAD, mediators and facilitators, oil and gas companies, and local communities. Through conflict mapping, evidence-based strategies for resolving maritime disputes were suggested. The study recommends that policymakers, mediators, and stakeholders work towards a peaceful and just resolution of the conflict.

CHAPTER ONE

INTRODUCTION

1.0 Chapter Overview

This chapter will discuss the study's justification through the background, problem statement, objectives, research questions, significance and scope, constraints and delimitations, and overall design.

1.1 Background to the Study

Maritime conflict is a serious problem in most parts of the world where there are shared borders with unclear maritime boundaries, leading to resource competition and encroachment, increasing tensions and risking conflict (Hasan *et al.*, 2019). Due to the shift in the international economy toward marine resources, known as the “blue economy,” nations are increasingly concerned about their marine resources. According to Hasan *et al.* (2019), states with open maritime borders are aware of maritime boundaries for the use of minerals and resources.

According to Schofield (2021), maritime areas are defined by the Convention on the Law of the Sea and the “exclusive economic zone” (EEZ) begins at the following distances from the baseline: Torque at 12, 24 and 200 nm reference. Maritime conflicts over international trade, economic and security concerns are common, with examples including resource-rich zones in the South China Sea, territorial disputes hindering commercial shipping, and stoking tensions between nations. Unclear fishing rights in the Mediterranean lead to overfishing by foreign fleets and threaten the economic existence of coastal communities. In addition, strategic chokepoints such as the Strait

of Hormuz become vulnerable to disruptions, impacting global energy supplies and raising security concerns.

Prolonged maritime conflicts pose a significant threat to global security and economic stability. As Fauzan, Abdullah, and Ahmad (2019) highlight, these conflicts become especially problematic when they take an extended period to settle. Disputes over resource-rich waters, shipping lanes, and strategic chokepoints can create a volatile mix, hindering economic activity and raising the risk of military confrontation.

International law offers a framework for resolving these disputes peacefully. Meilisa (2018) emphasizes the existence of regulations that guide governments in negotiating and settling maritime border disagreements. However, the effectiveness of this framework relies heavily on the willingness of involved parties to engage in good faith negotiations and adhere to legal rulings. Unfortunately, historical evidence suggests that international law, while a crucial tool, doesn't always prevent conflicts from escalating, especially when national interests and prestige are at stake.

The international legal framework for maritime disputes, with the United Nations Convention on the Law of the Sea (UNCLOS) of 1982 as its cornerstone, offers a framework for resolving clashes over rights to marine features, boundaries, and resource zones (Kadagi *et al.*, 2020). However, as Choi (2022) points out, UNCLOS lacks enforcement power and relies on state cooperation, which can be hindered by national interests and complex disputes that lead to deferred settlements.

Under the Laws of Sea (LOS), maritime boundaries are often established by taking a specific distance from the shore (also called a baseline) of a given jurisdiction. Every coastal state has authority over international waters, and national law must be consistent with international law (Masahiro, 2012). The UNCLOS (Brown, 2013) guarantees a

state's full commercial rights out to a 200-mile zone from its shore. Coastal and feature baselines are used to express the zones of maritime boundaries (Harper, 2012). Conflict mapping influences international maritime disputes (Abdurrahim, Ross & Adhuri, 2020).

Peacebuilding efforts rely heavily on understanding the intricate web of factors contributing to a conflict. Conflict mapping tools, as described by Ramsbotham (2012), offer a valuable high-level overview of the situation, similar to a snapshot. However, for effective intervention, deeper analysis is necessary (Dundua, 2013). Lee (2019) emphasizes the importance of continuous information gathering through conflict mapping to reconstruct the sequence of events and understand the root causes. By analyzing the dynamics, influence, and ongoing developments within the conflict zone, peacebuilders can measure progress, identify potential escalations, and ultimately work towards lasting resolutions (Kappmeier et al., 2020).

The conflict mapping tool has several components, which include the causes and the indicators of the disputes (Kappmeier, Venanzetti & Inton-Campbell, 2020). Factors that make individuals angry are called "causes of conflict" (Jagota, 2015). Indicators or the causes of the conflicts are essential in conflict analysis and using conflict mapping can restore peace in an area. The conflict mapping tool helps in looking at the relationship between specific actors, causes, and profiles to understand the conflict dynamics (Rachmawaty *et. al.*, 2022). Conflict mapping has been used in several countries to solve internal and external conflicts (Masahiro, 2012). This is with the example of countries like Colombia and Myanmar to understand internal strife and border disputes.

Globally, Orttung and Wenger (2016) note that Russia and Norway have used conflict mapping to resolve disputes related to the Barents Sea, a marginal sea of the Arctic Ocean off the northern coast of Norway and Russia. A 2010 pact between Russia and Norway settled a 40-year territorial dispute between the two countries over the Barents Sea. The successful resolution of maritime disputes can be influenced by a complex interplay of factors that go beyond the pure legal framework. Interactions between companies and states and identity politics can significantly influence the way disputes are resolved. For example, strong economic interests can encourage states to find solutions that minimize disruptions to trade and access to resources. Furthermore, a history of successful bilateral cooperation can promote trust and willingness to comply with international law, as seen in the Norwegian-Russian Boundary Delimitation Agreement (2010).

Besides, Nemeth *et al.* (2014) indicate that conflict mapping enables the recognition of Aves Island by Venezuela. Legal acknowledgment of Aves Island as an island was achieved through a series of accords signed by Venezuela with France, the USA, and the Netherlands in the late 1970s and early 1980s. Despite protests from its Caribbean neighbors, Venezuela was able to include the uninhabited Aves Island within its 200-mile EEZ due to the UNCLOS recognizing islands as generating an EEZ, regardless of habitation.

Conflict mapping can play a crucial role in resolving maritime disputes over resource rights. Kočí and Baar (2021) illustrate this in the case of Norway and Denmark's disagreement over Greenland Sea fishing rights. By mapping the disputed area and analyzing factors such as proximity to the mainland and historical fishing practices, conflict mapping likely helped clarify geographical claims. The conflicting arguments

about Jan Mayen's importance illustrate the complexity involved. While Norway likely used its proximity to argue for a "centre line" that would give it a larger share of the fishing zone, Denmark disputed Jan Mayen's relevance due to its lack of permanent population. This case exemplifies how conflict mapping can shed light on the various factors at play in maritime resource rights disputes.

Moreover, it is indicated by Flores and Basas (2018) stated that building and reestablishing political and economic assertiveness in the South China Sea has been aided by conflict mapping. Conflict mapping has helped reduce tensions in the South China Sea among Taiwan, Malaysia, China, Thailand, the Philippines, Vietnam, and Brunei by providing a data-driven visual of claims and resources to foster transparency and identify potential areas of cooperation in the South China Sea. China has made efforts to block oil and gas exploration and development by Vietnam, Taiwan, Brunei, the Philippines, and Malaysia in their respective claim zones around the Spratly and Paracel islands. However, conflict mapping has helped bring peace back to the area around the South China Sea.

In Africa, Findlay (2020) established that conflict mapping had been highly embraced to solve the difficulties of establishing and maintaining Marine Protected Areas (MPAs) in Southern African nations as ocean economies grow. According to the study, conflict mapping has been used to examine decision-making processes, revealing key players in policies that systematically and massively violate the laws of war (Findlay, 2020). Establishing who was in charge of the crimes and who ordered them done is the first step in holding those responsible accountable and is the first and most important step in creating a conflict map. It discourages laying blame at anyone's feet and instead encourages mutual understanding and harmony.

Despite the ICJ ruling in 2002 awarding the Bakassi Peninsula to Cameroon (ICJ, 2002), tensions persist between Nigeria and Cameroon (Egbensole, 2021). This lingering conflict highlights the limitations of legal solutions in resolving complex maritime disputes. Conflict mapping can offer valuable insights in this context. By visually depicting overlapping claims, historical narratives, and resource distribution (Kočí & Baar, 2021), conflict maps can foster transparency and identify potential areas of cooperation (Oliver, 2018). The study utilized conflict mapping to analyze the root causes of the Nigeria-Cameroon dispute and explored potential pathways towards a more peaceful and sustainable resolution.

A maritime boundary dispute has strained relations between Somalia and Kenya (Mburu, 2019). Somalia accuses Kenya of encroaching on its territorial waters and auctioning off oil blocks in the disputed area (Kadagi et al., 2020). Somalia took Kenya to the ICJ in 2014, but Kenya contested the court's authority. The contested area, roughly 100,000 square kilometers and shaped like a triangle, hinges on the eastward extension of the land border. While Kenya demands Somalia inform investors of its lack of jurisdiction, Somalia denies any auction, further escalating tensions.

The maritime territorial dispute between Kenya and Somalia has strained diplomatic relations between the two countries, leading to significant tensions. Kenya recalled its envoy from Somalia, while Somalia reciprocated by expelling Kenya's envoy. The situation escalated further when three government officials from Somalia were denied entry at Kenya's Jomo Kenyatta International Airport (JKIA), despite holding diplomatic passports (Wambua, 2020). Kenya has also heightened security measures at Wajir for all flights bound for Somalia, citing concerns that Somalia has been encroaching on Kenyan territory using allegedly falsified maps. In an attempt to

mediate the escalating tensions, Ethiopian Prime Minister Abiy Ahmed visited Kenya on March 6, 2019, to facilitate talks between President Uhuru Kenyatta and his Somali counterpart at State House Nairobi, which was ultimately successful in de-escalating the situation (Wambua, 2020). These events underscore the complexity and sensitivity of the maritime dispute, highlighting the need for diplomatic efforts to find a resolution and restore stability in the region.

The Parliament of Kenya tabled a proposal requiring the government to look into other constitutional and lawful means of preserving the area after Kenya and Somalia had a maritime territorial dispute. Kenya's sovereignty and territorial integrity must be protected at all costs (Mburu, 2019), including by sending the Kenya Defense Forces (KDF) to the contentious maritime boundary with Somalia. Kenya stated to the ICJ court on 11 March 2021 that they will not be attending the World Court sessions. Kenya claimed prejudice on the part of the ICJ and demanded that a Somali judge be removed from the case (Daily Nation, March 22, 2021). Kamau (2017) claims that Kenya is adamant that the border be demarcated following the 1979 decree, while Somalia insists that the ICJ decides the matter based on the UNCLOS and other international rules.

As a result, the nautical territorial conflict between Somalia and Kenya continues. The International Court of Justice (ICJ) ruling in favor of Somalia over its maritime border in 2021 was a major setback for Kenya. It is uncertain what will happen as Kenya has refused to recognize the jurisdiction of the ICJ and the court has no way of enforcing its findings (Bekker, Schofield and van de Poll, 2022). Although the ICJ's ruling is final and not subject to review, it cannot be enforced. However, if a state does not comply with a ruling, it can seek assistance from the United Nations Security Council (UNSC). This is the basis for the present research. The research results could provide lasting

answers to the maritime territorial question between Kenya and Somalia. Against this background, the current research will analyze how conflict mapping relates to the maritime conflict between Kenya and Somalia.

The maritime dispute between Kenya and Somalia is due to unclear borders and the potential resources within the disputed area. The disagreement hinges on how the land border extends into the sea, which has significant economic implications. Somalia accuses Kenya of using fake maps to justify expansion into resource-rich waters. This has led to increased tensions, including the expulsion of diplomats and increased security measures. While the ICJ ruled in favor of Somalia in 2021, Kenya refused to accept the decision, leaving the situation unresolved. Conflict mapping can help understand the complexity of this dispute by visually representing claims, resources and historical narratives. This transparency can help identify potential areas of cooperation and pave the way for a peaceful solution.

1.2 Statement of the Problem

The maritime border dispute between Kenya and Somalia has been a source of tension for decades, posing complex challenges that have defied resolution. Various initiatives have attempted to map the contested area, with the International Hydrographic Organization (IHO) providing a baseline for maritime claims. Both nations have commissioned specific technical studies to bolster their respective arguments, producing maps that are crucial for visualizing the resource potential at stake, including lucrative fishing grounds and hydrocarbon reserves. The cases presented to the ICJ reveal the core of the dispute: Kenya advocated for an extension of its land border into the sea, while Somalia pushed for an equidistant line. In 2021, the ICJ largely sided with Somalia, awarding them a significant portion of the disputed territory. However,

this ruling has not resolved the conflict. Kenya initially resisted implementing the decision, leading to a diplomatic impasse. The African Union (AU) has offered mediation, but progress has been slow. This situation underscores the broader challenges of international legal enforcement and the limitations of court rulings in resolving deeply entrenched geopolitical disputes. Alternative solutions, such as joint commissions to negotiate a mutually beneficial agreement, have been suggested. Revenue-sharing models or joint resource management agreements for fisheries and potential oil and gas reserves could provide a framework for cooperation. However, these approaches face significant obstacles, including mutual distrust and the complexities of resource management. The ongoing dispute casts a shadow over regional security, highlighting the critical need for a resolution to maintain stability and facilitate cooperation in countering terrorism. The challenge lies in navigating the intricate web of legal, political, and economic factors that continue to hinder a sustainable solution.

1.3 Objectives of the Study

1.3.1 General Objective

The study aims to analyze the 2014-2023 maritime border dispute between Kenya and Somalia, examining its geopolitical, legal, and economic dimensions and evaluating international dispute resolution mechanisms' effectiveness.

1.3.2 Specific Objectives

The study objectives were:

- i. To examine the causes of the maritime dispute between Kenya and Somalia from 2014 to 2023.

- ii. To assess the role of conflict mapping in understanding the Kenya-Somalia maritime dispute during the period 2014 to 2023.
- iii. To analyze the relevance of conflict mapping in resolving the Kenya-Somalia maritime border dispute between 2014 and 2023.

1.4 Research Questions

The study's primary objective was to respond to the following questions;

- i. What is the role of conflict mapping in the maritime dispute between Kenya and Somalia from 2014 to 2023?
- ii. How relevant is conflict mapping in the Kenya-Somalia maritime dispute during the period 2014 to 2023?
- iii. What challenges were associated with conflict mapping in the maritime border dispute between Kenya and Somalia from 2014 to 2023?

1.5 Justification and Significance of the Study

The study was academically and policy justified due to the imperative need to comprehensively understand the complex dynamics underlying the ongoing disputes. Academically, such research was crucial for advancing scholarly knowledge by examining the historical, legal, and geopolitical factors contributing to the conflicts. Additionally, from a policy perspective, the study aimed to provide insights into effective strategies and mechanisms for resolving these disputes peacefully, thereby promoting regional stability, cooperation, and adherence to international law. By mapping the conflicts and analyzing past resolution efforts, the study sought to offer valuable recommendations for policymakers, diplomats, and stakeholders involved in facilitating dialogue and negotiation processes between the two nations.

The study holds significant academic and policy implications. Academically, it offers an analysis of the historical, legal, and socio-political dimensions of the maritime disputes, contributing to scholarly understanding of conflict dynamics in the region. By examining the root causes, territorial claims, and past resolution efforts, the study provides valuable insights into the complexities of interstate conflicts and the challenges of resolving them peacefully. From a policy perspective, the study aims to provide insights into effective strategies and mechanisms for resolving these disputes peacefully. This is vital for promoting regional stability, cooperation, and adherence to international law. By mapping the conflicts and analyzing past resolution efforts, the study seeks to offer valuable recommendations for policymakers, diplomats, and stakeholders involved in facilitating dialogue and negotiation processes between the two nations.

The study offers a comprehensive analysis of the historical, legal, and socio-political dimensions of the maritime disputes and contributes to the scientific understanding of the conflict dynamics in the region. Researchers will benefit from a detailed examination of the root causes and prior resolution efforts, enhancing academic discourse on conflict resolution and international law. The study provides practical recommendations for resolving the disputes and serves as a valuable resource for policymakers involved in resolving the conflicts. It offers insights into effective strategies and mechanisms that can be used to promote dialogue, negotiation, and peaceful resolution. The study assists diplomats and international organizations by identifying potential paths to resolution and best practices in conflict mediation.

This assistance can promote sustainable solutions and strengthen diplomatic efforts to resolve maritime disputes. Additionally, the study promotes regional stability and

cooperation, benefiting stakeholders in the Horn of Africa by contributing to peace and security. A deeper understanding of conflict dynamics and resolution strategies can help local governments and regional bodies work together towards sustainable peace. By mapping the conflicts and identifying potential solutions, the study aims to advance regional stability, cooperation, and compliance with international law, ultimately contributing to peace and security in the Horn of Africa.

1.6 Scope of the Study

The study had a focused thematic, time, and geographical scope aligned with its objectives. Thematically, it delved into analyzing the causes of the maritime dispute, evaluating the role of diplomatic actors in resolution efforts, and examining challenges in conflict mapping related to the Kenya-Somalia maritime border dispute. The time scope ranged from 2014 to 2023, highlighting key developments, events, and initiatives pertinent to understanding and addressing the disputes. Geographically, it covered the maritime boundaries and territorial waters between Kenya and Somalia in the Indian Ocean, with a specific focus on the disputed areas, notably the "Harambee Triangle." Through its thematic, time, and geographical focus, the study aimed to provide insights and recommendations to advance the understanding and resolution of the maritime disputes between the two countries.

1.7 Limitations and Delimitations

The study encountered a limitation in access to classified documents on internal operations their protected and private nature. To get over this restriction, each respondent got a letter asking for their permission and assuring them of their privacy and the research's exclusivity as an academic endeavor. Also, the University and NACOSTI provided prior authorization to undertake the study. Some respondents did

not feel comfortable answering the printed questionnaires. To overcome these concerns, the Google survey was utilized throughout the process to respondents who were conversant with them.

The delimitation is that the study examined the relationship between conflict mapping and international maritime dispute resolutions between Kenya and Somalia. The specific research objectives examined conflict mapping and identified key actors and their relationship in maritime disputes, examined the causes of maritime disputes, and assessed the relevance of conflict mapping. This study was limited to understanding the Kenya- Somalia Maritime dispute through a conflict mapping tool and focused on relevant government departments and agencies in Kenya, such as officers at the Ministry of Foreign and Diaspora Affairs (MFDA) and TV personnel.

CHAPTER TWO

LITERATURE REVIEW

2.0 Chapter Overview

The chapter deals with the literature review on maritime disputes, the causes of the Kenya-Somali maritime dispute and dispute resolution. In addition, the theoretical overview, conceptual framework and summary of the literature review were presented in the chapter. Each section is discussed in detail to demonstrate its relevance to considerations for inclusion in the study.

2.1 Empirical Review of Literature

2.1.1 The Causes of Maritime Dispute

Maritime disputes are widespread in international relations and often involve multiple countries with differing interests in disputed waters (Felister, 2022). These disputes can arise from various factors, including claims to sovereignty, fishing rights, and access to natural resources such as oil and gas. Scholars have identified several causes contributing to maritime disputes between Kenya and Somalia.

Claims of sovereignty, often based on historical or cultural ties, frequently lead to territorial disputes between nations (Mohamed, 2021). For example, China's claim to sovereignty over a significant portion of the South China Sea has led to tensions with neighboring countries such as the Philippines, Vietnam, and Malaysia (Chen, 2014). Similarly, the Kenya-Somalia maritime dispute involves competing claims to sovereignty over a triangle of ocean territory rich in oil and gas resources (Mohamed, 2021).

Competition for natural resources, especially fish and oil, further exacerbates maritime disputes (Wanzetse, 2021). In the East China Sea, Japan and China are contesting oil and gas reserves, leading to overlapping Exclusive Economic Zones (EEZs) and increased tensions (Kimura, 2018). In the case of Kenya and Somalia, the disputed maritime area is believed to hold significant hydrocarbon potential, which has intensified the dispute (Wanzetse, 2021).

Conflicts over fishing rights illustrate the complex interplay between maritime resources and territorial sovereignty. In the Bay of Bengal, overlapping claims to fishing grounds and EEZs have heightened tensions between India and Bangladesh (Roy, 2016). This region, rich in marine biodiversity and vital to the livelihoods of coastal communities, is a focal point of the dispute. As fishermen from both nations vie for access to these resources, confrontations at sea often occur, necessitating diplomatic efforts to de-escalate tensions and establish mechanisms to manage fishing rights (Roy, 2016).

The ownership dispute over several small islands between Indonesia and Malaysia in the 1990s, which led to violent clashes, underscores the potential for armed conflict in maritime disputes (Kivimaki, 2019). Maritime disputes can escalate into full-scale conflicts with military operations, significantly impacting international relations (Kivimaki, 2019). Additionally, these disputes can have economic repercussions, such as trade restrictions or sanctions from the countries involved (Hakimian & Mirfendereski, 2018).

Various approaches are employed to resolve maritime disputes, including negotiation, mediation, and legal action (Chen, 2014). Bilateral or multilateral agreements, such as the United Nations Convention on the Law of the Sea (UNCLOS), establish rules for

the world's oceans and provide frameworks for dispute resolution (Chen, 2014). Regional organizations, such as the Association of Southeast Asian Nations (ASEAN), have played crucial roles in resolving disputes, exemplified by their efforts in the South China Sea dispute (Suryanarayan, 2017).

The maritime dispute between Kenya and Somalia highlights the complexity of such conflicts and their impact on regional stability (Mohamed, 2021). Disagreements over maritime boundaries, centered around a triangle in the Indian Ocean rich in oil and gas resources, have strained relations between the two countries (Mohamed, 2021). The inability to agree on the demarcation of the maritime border—with Kenya advocating a diagonal line and Somalia insisting on an extension of its land border—underscores the contentious nature of the issue (Mohamed, 2021; Wanzetse, 2021). The involvement of the ICJ in resolving the dispute highlights the importance of legal mechanisms in maritime conflict resolution (Wanzetse, 2021).

Maritime disputes remain a complex challenge in international relations, requiring collaborative efforts for effective resolution. Conflicting claims to sovereignty, competition for natural resources, and disputes over fishing rights are among the primary factors contributing to these conflicts. While maritime disputes significantly impact international relations, efforts to resolve them through negotiations, mediation, and legal action have been successful in some instances. Regional organizations and international actors play crucial roles in facilitating dialogue and cooperation between disputing parties. To prevent escalation into full-scale conflict, nations must prioritize communication and diplomacy to resolve maritime disputes peacefully (Muyonga, 2021).

2.1.2 Mechanisms Resolving Maritime Disputes

Maritime disputes are complex issues involving various actors with different interests and agendas (Felister, 2022). Conflict mapping as a tool can help identify these key actors and their relationships, facilitating understanding of the problem at hand and finding workable solutions. In maritime conflicts, states act as key actors and play a crucial role in determining the outcome (Wanzetse, 2021). Asserting sovereignty over maritime areas, engaging in activities such as fishing or oil exploration, and resorting to military force are common behaviors of states in maritime disputes that can potentially lead to armed conflict (Muyonga, 2021).

External powers such as the United States of America (USA) and China exert significant influence on maritime disputes by providing diplomatic or military support to one side (Warah, 2019). Their strategic interests in the region can further complicate or facilitate conflict resolution efforts (Thompson, Lantz, & Ban, 2020). By understanding the motivations and actions of these actors, effective conflict resolution strategies can be developed. While states are the main actors, non-state actors, international organizations and external powers all play a crucial role in shaping outcomes (Kadagi *et al.*, 2020).

In addition to states, non-state actors such as fishermen, environmental organizations and multinational corporations also play an important role in maritime disputes (Kirui, 2022). These actors often have conflicts of interest with states, influence public opinion, lobby for policies, and influence the course of conflicts. Furthermore, international organizations such as the United Nations (UN) play a crucial role in resolving maritime conflicts by providing forums for dialogue, mediation and arbitration (Okonkwo,

2017). They help set norms and regulations for maritime activities, reduce tensions and prevent conflicts (Maluki, 2019).

The maritime dispute between Kenya and Somalia serves as a clear example of the involvement of diplomatic actors in conflict resolution efforts. The AU and UN were instrumental in resolving the dispute and seeking peaceful solutions in accordance with international law (Muyonga, 2021; UN, 2021). Conflict mapping has proven helpful in showing the complexity of the dispute and the connections between the key actors (Mahajan, 2021). The ICJ's recent ruling in favor of Somalia has significant implications for Kenya, requiring a renegotiation of agreements with oil and gas companies and potentially increasing tensions between the two countries (BBC News, 2022; Manswab, Abdifatah & Ndalilah, 2021).

Maritime dispute between Kenya and Somalia underscores the importance of diplomatic efforts and adherence to international law in resolving conflicts between independent states (Al Jazeera, 2022; Gunawan, et al., 2021). Conflict mapping facilitates understanding and resolution by identifying key actors and their interactions. Despite the complexities involved, peaceful resolutions can be achieved through diplomatic channels and adherence to established legal principles.

2.1.3 Conflict Mapping in Maritime Border Disputes Management

Resolving maritime border disputes often hinges on accurate conflict mapping. One significant challenge lies in data inconsistency and historical ambiguity. Technical expertise and resource constraints further complicate conflict mapping. Latulippe and Klenk (2020) emphasize the need for expertise in oceanography, hydrography, and international law (Latulippe & Klenk, 2020). However, as seen in the case of the ongoing dispute between Nicaragua and Costa Rica over the San Juan River (Jama,

2022), smaller countries may lack the resources to invest in hiring such specialists (Jama, 2022). This can lead to inaccurate or incomplete maps, hindering a fair resolution process.

Political tensions and a lack of cooperation between disputing parties represent significant obstacles in resolving territorial disputes. In the Venezuelan territorial claim dispute with Guyana, strained relations have hindered information sharing and collaborative mapping initiatives, exacerbating the complexity of the conflict. This lack of cooperation not only impedes progress toward resolution but also perpetuates the dispute's longevity (Kobusingye et al., 2020).

Moreover, distrust between the parties can further complicate matters, particularly concerning the neutrality and objectivity of the mapping process itself. When disputing parties question the fairness and impartiality of the mapping efforts, it undermines the credibility of the entire dispute resolution process and makes it challenging to achieve a mutually acceptable outcome (Amsler et al., 2020). Thus, addressing political tensions and fostering trust and cooperation between the involved parties are crucial steps toward overcoming these obstacles and facilitating progress in resolving maritime border disputes.

The overlapping legal frameworks and jurisdictional disputes present a formidable challenge in resolving maritime border disputes. While international maritime law offers a foundational framework for addressing such conflicts, the interpretation and application of these legal principles often vary among disputing parties (Alemie & Mandefro, 2018). An illustrative case is the longstanding dispute between Greece and Turkey in the Aegean Sea, where divergent interpretations of international law complicate efforts to reach a resolution (Mutui, 2019). The dispute revolves around

competing claims over island entitlements and continental shelf rights, with each country asserting its legal arguments to support its position. Such disputes underscore the intricacies involved in reconciling conflicting legal perspectives and highlight the need for robust legal mechanisms and diplomatic negotiations to overcome jurisdictional challenges and foster peaceful resolution in maritime border disputes.

The complexities surrounding resource distribution present a significant obstacle in resolving maritime border disputes. One critical aspect is the accurate mapping of resource potential within contested maritime zones, including fisheries and potential hydrocarbon reserves, which holds paramount importance for equitable resource allocation and sustainable management (Suparman et al., 2018). These resources not only have economic value but also play a crucial role in the livelihoods of coastal communities and the overall socio-economic development of nations. However, as noted by Diab et al. (2022) in their examination of disputes in the Middle East and North Africa (MENA) region, accurately delineating these resources often poses challenges due to the need for sophisticated technology and expertise.

Accurate assessment and mapping of resources require advanced tools such as remote sensing, Geographic Information Systems (GIS), and specialized surveying techniques, which may not be equally accessible to all disputing parties (Diab et al., 2022). Furthermore, disagreements over the methodology and outcomes of resource mapping can intensify tensions between disputing parties, as each seeks to assert its claims based on perceived resource ownership and potential economic benefits. This contention over resource mapping can escalate conflicts and hinder efforts towards peaceful resolution. Thus, addressing the complexities of resource distribution requires not only technical proficiency but also diplomatic negotiation and cooperation to navigate conflicting

interests and achieve mutually acceptable solutions that promote sustainable resource management and equitable distribution.

Asunah's (2020) study on the Kenya-Somalia dispute highlights the difficulty of pinpointing a definitive starting point due to unclear historical records (Asunah, 2020). Similarly, the ongoing South China Sea dispute is hampered by conflicting territorial claims based on historical interpretations (Diab et al., 2022). This ambiguity makes it difficult to establish a clear baseline for mapping the contested maritime zones.

2.2 Theoretical Review

Securitization theory is the basis of this study. Ole Wæver developed this idea in the 1990s, emphasizing the role that political leaders and other institutional actors play in naming and describing threats (Buzan, 2003). According to securitization theory, security is a socially constructed concept in which a securitizing actor, typically the political elite, declares a particular issue to be important and dangerous to the continued existence of what matters. The strength of securitization theory lies in its ability to address a threat or potential future threat (Williams, 2015).

Serghei (2014) emphasizes that border policies might be seen as the product of effective securitization. He continues by indicating that the comparison of securitization might be used to discuss border security-related issues. Atmore (2016) defines securitization by isolating the roles of three parties: the audience, who represents the general populace or any other group that must be convinced that the actions taken in response to the perceived threat are valid; the securitizing actor, who represents the government; and the referent object, which represents the security threat itself. Securitization theory, as applied to the study of state-adopted security measures, centers on these three players.

The deficiency of the theory is notable. McDonald (2008) believes that the lack of inquiry into why an actor decides to treat something as a security issue is a key flaw in the securitization theory's ability to explain the meaning of security. Furthermore, Balzacq, Léonard, and Ruzicka (2016) argue that a flaw of securitization theory is that it can cause one to ignore how security is defined in different situations and by different players. Another weakness of the securitization theory is its failure to consider external factors (Karafoulidis, 2012).

To address these weaknesses, the study also considers the Copenhagen School's theory of societal security, which emphasizes the impact of identity and societal cohesion on security. This theory suggests that security issues are not only state-centric but also involve the survival of society and its identity. This complements securitization theory by providing a broader understanding of what constitutes a security threat and how different actors perceive and respond to these threats.

The theory is regarded as relevant to inform contemporary study. Most countries now prioritize security as one of their top priorities, and their leaders have adopted a variety of security measures. States began to consider border barriers as a potential reaction to the security risks of the globalized era. It may be easier to identify securitization process actors if the securitization theory is used to explain the Kenya-Somalia naval conflict. The Somalia government is the threat, the Kenyan populace is the audience, and the Kenyan government is the securitizing actor. By creating a secure environment for the fishing and natural gas industries, the government can secure its maritime border with Somalia to safeguard the security of its residents and the prosperity of the country. Through the lens of securitization theory, the Kenya-Somalia maritime securitization is a state's response to losing Kenya's territory that is perceived as an existential danger

to the nation. The strength of securitization theory is the ability to address a threat or potential future threat. Thus, the theory is considered relevant to inform the contemporary study.

Securitization theory provided a valuable framework for understanding the dynamics of maritime disputes, particularly in the context of conflict mapping and international dispute resolution between Kenya and Somalia. Rooted in Ole Wæver's conceptualization in the 1990s, securitization theory emphasized the role of political leaders and institutional actors in identifying and framing threats to national security. The theory posited that security was a socially constructed concept, with political elites declaring certain issues as existential threats.

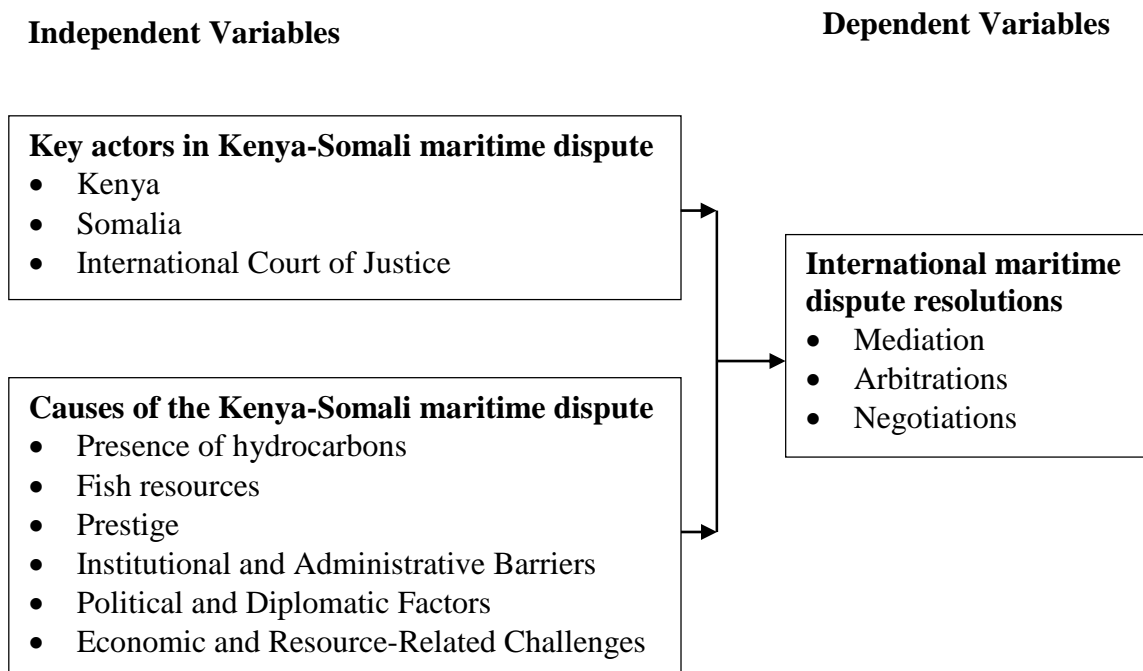
Despite criticisms, such as McDonald's argument regarding the theory's lack of inquiry into the motivations behind securitization, and Balzacq, Léonard, and Ruzicka's assertion that it may overlook diverse definitions of security, securitization theory remained relevant in contemporary studies of maritime conflicts. In the context of the Kenya-Somalia naval conflict, securitization theory offered insights into how the Somali government's actions were perceived as a threat by the Kenyan populace, prompting the Kenyan government to securitize its maritime borders to protect its residents and economic interests. By viewing the conflict through the lens of securitization theory, it became evident that the securitization process was a response to perceived existential dangers, underscoring the theory's strength in addressing both current and potential threats.

To complement the strengths and address the weaknesses of securitization theory, the study also incorporates the Copenhagen School's theory of societal security. This theory expands the understanding of security threats to include societal identity and

cohesion, thereby considering how different actors perceive and respond to these threats. By integrating both theories, the study provides a more comprehensive framework for analyzing the Kenya-Somalia maritime dispute, offering deeper insights into the security dynamics and potential pathways for resolution.

2.3 Conceptual Framework

Dependent and independent variables' relationships can be represented visually in a conceptual framework (Kothari, 2006). Figure 2.1 depicts the relationship between the key actors, causes of the Kenya-Somali maritime dispute, and international maritime dispute resolutions.



Source: Researcher, 2023

Figure 2.1: Conceptual Framework

CHAPTER THREE

METHODOLOGY

3.0 Chapter Overview

This chapter discussed research design, study locations, target populations, sampling methods, sample sizes, data collection tools, pre-testing of the data collection tools, ethical issues, data analysis, the validity and reliability of the data collection tools, and the collection and analysis of the data.

3.1 Research Design

The study adopted a case study research design due to its suitability in providing a deep understanding of the state of affairs and perceptions of stakeholders involved in the maritime dispute. Case studies are particularly effective in collecting detailed, context-rich data about specific instances or phenomena, which aligns with the study objective of mapping out the various dimensions of the conflict and understanding the perspectives of both Kenyan and Somali stakeholders. By employing this design, the study systematically gathered data on the historical background of the dispute, the key actors involved, the nature of the maritime boundaries in question, government officials and embassy representatives' insights, as well as experts and maritime industry stakeholders' views towards potential resolution strategies. This design allowed for the collection of rich qualitative and quantitative data, essential for analyzing the complexity of the conflict and informing potential pathways towards resolution.

The case study research design offered the flexibility to employ various data collection methods such as interviews, document analysis, and direct observations, enabling a comprehensive approach to gathering information. Given the sensitivity and

complexity of international maritime disputes, which include legal, political, and economic dimensions, a mixed methods approach was utilized to capture the nuances of the conflict accurately. Through the systematic collection and analysis of data using a case study approach, the study generated valuable insights into the dynamics of the Kenya-Somalia maritime dispute, providing a foundation for policymakers, diplomats, and international organizations to develop informed strategies for conflict resolution. This approach ensured that the study was grounded in empirical evidence, enhancing its credibility and relevance in addressing one of the most pressing geopolitical challenges in the East African region.

3.2 Study Area

The study focused on the disputed maritime area between Kenya and Somalia, chosen for its direct relevance to the conflict. This area, located in the Indian Ocean, encompasses the contested boundaries and rich natural resources at the heart of the dispute. Conducting the study in this maritime region allowed for an in-depth analysis of the geographical, legal, and socio-political aspects of the conflict. By centering the research in the disputed waters, the researcher could directly observe the maritime activities, engage with local stakeholders, including fishermen, maritime industry professionals, and regional authorities, and gather firsthand insights into the complexities of the dispute. This approach provided a comprehensive understanding of the perspectives, strategies, and challenges faced by both Kenya and Somalia in addressing the maritime boundary issue, thereby enriching the depth and breadth of the research findings.

3.3 Target Population

Cooper and Schindler (2014) indicate that the term "population" is used to describe a collection of items that share certain features. According to Kothari (2004), the term "population" refers to the entire set of elements from which the researcher draws conclusions. The target population for this study included representatives from the Kenya and Somalia embassies based in Nairobi, officials from the Ministry of Foreign Affairs and International Trade (MFDA), experts in international relations, maritime industry professionals, and civil society members focused on international relations.

Representatives from the MFDA were considered essential stakeholders due to their involvement in shaping Kenya's foreign policy and diplomatic engagements, particularly concerning maritime disputes. Experts in international relations provided invaluable insights into the complexities of relevant treaties, conventions, and legal precedents pertaining to the Kenya-Somalia maritime conflict. Maritime industry professionals offered perspectives on the practical implications of the dispute, including its impact on economic activities such as shipping, fishing, and resource exploration. Civil society members contributed a nuanced understanding of the historical, political, and social dynamics shaping the dispute, enriching the analysis with comprehensive contextual insights. By encompassing a diverse range of stakeholders, the study aimed to capture a holistic understanding of the maritime dispute and identify potential pathways towards resolution.

3.4 Sampling Techniques

Selecting a representative subset of a larger population for the study is known as the sampling strategy (Cooper & Schindler, 2014). The sample size of the study was determined using stratified random sampling technique to ensure representation of the

different stakeholder groups for the survey. As these groups played crucial roles in policy formulation, diplomatic negotiations, and economic activities related to the maritime dispute, the sampling technique aided in the capturing of the complete picture of their perspectives, strategies, and challenges, facilitating a more thorough analysis of the conflict dynamics and potential resolution strategies to ensure representation across different subgroups within this population. Recognizing the diverse expertise and perspectives within this group, the researcher categorized participants based on relevant criteria such as years of experience, institutional affiliation, and specific areas of specialization within international law or related fields. Further, purposive sampling was utilized in the selection of key informants for qualitative inquiry.

3.5 Sample Size

Population proportions are estimated from a representative sample (Creswell, 2014). The sample size is a statistical phrase for describing the proportion of a target population that is included in a study. The sample size determination was aided by Frank Yates (1935) formula $n = p*(1-p)*Z^2 / e^2$ that relied on confidence level (Z-score for 95% is 1.96), desired margin of error, and an estimated population proportion (p, assume 0.5 for maximum sample size).

Plugging these into $n = p*(1-p)*Z^2 / e^2$

- p = the proportion supporting the policy
- Z = 1.96 for 95% confidence
- e = 0.05 for 5% margin of error

$$\square n = p*(1-p)*Z^2 / e^2$$

$$n = 561*(1-561)*1.96^2 / 0.05^2$$

Hence, sample size was 160.

The sampling Frame was presented in Table 3.1.

Table 3.1: Sampling Frame

Category	Sampling Frame	Numbers
Embassies and MFDA Representatives	Embassy officials from Kenya and Somalia and Senior officials in the MFDA, Kenya	32
Experts in International Relations	Faculty members in University of Nairobi and Kenyatta University	55
Civil Society Members	Organizations representatives and individual consultants focusing on International Relations and Diplomacy in Kenya	312
Maritime Industry Professionals	Professionals under the Ministry of Mining, Blue Economy and Maritime Affairs	162
Total		561

Source: Researcher (2023)

Stratification was used to stratify the sample size by each strata such that $487=139$ thereby using $160/561$ as reducing scale factor for each strata

Table 3.2: Sample Size Determination

Serial Number	Category	Number	Sample size
1	Embassies and MFDA Representatives	32	$(160/561)*32=9.1=9$
2	Experts in International Relations	55	$(160/561)*55=15.6=16$
3	Civil Society Members	312	$(160/561)*312=88.9=89$
4	Maritime Industry Professionals	162	$(160/561)*162=46.2=46$
Total		561	160

Source: Researchers, 2024

Hence, the sample size for the survey was 160 respondents. Further, from each category, a key informant was identified, and the informant did not participate in the survey and therefore 4 informants were identified.

3.6 Instruments of Data Collection

Data needed for the study was gathered through the use of questionnaires and key informant interviews. Respondents were asked both yes/no and open-ended questions, calling the combination of primary and secondary sources "mixed methods" of data collection. The rationale for using questionnaires and interviews to collect the data was that the study sought to collect comprehensive data. To corroborate the study's research questions, secondary data was gathered from a variety of sources, including academic journals, periodicals, policy documents, books, magazines, newspapers, and television documentaries.

3.7 Pretesting of Research Instruments

The term "pretesting" refers to a "small-scale version" that is done before the intended study (Kothari, 2004). Pretesting is done to ensure that respondents had no trouble filling out and submitting the research instruments during the final data collection (Saunders, Lewis, & Thornhill, 2012). Pretesting was recommended to be carried out on between 5 and 10 percent of the intended sample (Cooper & Schilder, 2014). Before administering the instruments to the target population, six experts who had similar characteristics to the intended participants and who did not participate in the main study were considered. This pilot study allowed the researcher to evaluate the clarity, completeness, and effectiveness of the survey questions and interview guides. Feedback from the six pilot study experts was obtained and used to refine and improve the research instruments, including revising ambiguous or confusing questions, adjusting the format or structure of the instruments, and ensuring cultural sensitivity where appropriate. Through this iterative pretesting process, the researcher was able to improve the quality and validity of the data collected and ultimately strengthen the overall accuracy and reliability of the study results.

3.8 Validity and Reliability

Validity and reliability of the questionnaire and key informant interview guide were carefully determined through rigorous procedures to ensure the accuracy and consistency of the research instruments. Validity, which assesses whether the instruments measure what is intended and the truthfulness of the research findings, was ensured by multiple checks (Golafshani, 2003). The supervisor, officers at the MFDA, and experts in international relations meticulously inspected the research tools to verify their authenticity and relevance. Statements within the instruments were assessed for

their appropriateness and alignment with the research objectives, and necessary changes were made based on the feedback received from the review process. By incorporating input from various stakeholders, the validity of the instruments was strengthened, ensuring that they effectively captured the intended aspects of the Kenya-Somalia maritime dispute.

The supervisor, officials from the MFDA, and experts in international relations undertook a thorough review of the research instruments to ensure their validity and reliability. Their evaluation focused on assessing the clarity, relevance, and consistency of statements within the instruments in relation to the research objectives. Feedback from these stakeholders played a crucial role in refining the tools to accurately capture essential aspects of the Kenya-Somalia maritime dispute. This process aimed to ensure that the instruments effectively measured the theoretical constructs they were intended to assess.

During the validation process, international relations experts and stakeholders involved in maritime affairs provided valuable insights. Their contributions helped confirm that the questions and interview prompt comprehensively covered the diverse dimensions of the conflict. Additionally, the instruments underwent checks for face validity to ensure that they appeared appropriate and meaningful to both experts and potential respondents. Iterative reviews and adjustments based on feedback were instrumental in enhancing the clarity and understandability of the instruments.

Reliability, on the other hand, refers to the consistency of results obtained from the instruments when used repeatedly in similar contexts and with similar participants over time. To assure reliability, the researcher determined the Cronbach alpha coefficient, a commonly used measure of internal consistency (Cronbach, 1951). The questionnaire's

internal consistency was assessed using Cronbach Alpha, a statistical measure that indicates the extent to which items within the instrument are interrelated and consistently measure the same construct. By calculating Cronbach's alpha, the study evaluated the reliability of the questionnaire and ensured that it produced consistent results across multiple trials. Moreover, considering a Cronbach alpha of 0.7, as recommended in the literature, provided further assurance of the reliability of the data collected through the questionnaire.

To assess internal consistency, the researcher calculated the Cronbach alpha coefficient for the questionnaire. Cronbach's Alpha is a statistical measure used to evaluate the extent to which items within an instrument are interrelated and consistently measure the same underlying construct. By determining a Cronbach's alpha value, the study gauged the reliability of the questionnaire in producing consistent results across multiple administrations.

While retest reliability was not explicitly mentioned in the original text, this aspect could have been considered by administering the questionnaire to a subset of participants on two separate occasions and comparing their responses over time. Such an approach would have provided insights into the stability of responses over time, assuming no external factors influenced participants' answers.

For the key informant interview guide, enhancing inter-rater reliability would have involved ensuring consistency among different interviewers in conducting interviews and interpreting responses. Standardizing interview procedures and providing adequate training to interviewers are effective strategies to minimize variability in data collection and interpretation.

Through rigorous assessment of validity and reliability, the study established that its research instruments were robust and capable of generating accurate, consistent, and reliable data on the complexities of the Kenya-Somalia maritime dispute. This methodological rigor not only bolstered the study's findings but also increased confidence in the validity and reliability of its conclusions.

3.9 Data Collection Techniques and Procedures

The study employed a combination of data collection methods and techniques to gather comprehensive insights into the complex dynamics of the maritime dispute. Questionnaires were administered to a diverse range of stakeholders, including legal experts in international law, scholars, and researchers. These questionnaires were designed to elicit quantitative data on stakeholders' experiences related to the maritime dispute. The content of the questionnaires included items addressing key aspects such as the historical background of the conflict, legal arguments, geopolitical factors, economic implications, and potential pathways towards resolution. The questionnaires were distributed in person, depending on the preferences and accessibility of the respondents, and responses were collected and analyzed using statistical techniques to identify trends, patterns, and correlations within the data.

Semi-structured interview guides were utilized to conduct in-depth interviews with select stakeholders, particularly representatives from the MFDA and maritime industry professionals. These interviews provided a platform for informants to elaborate on their perspectives, share insights, and provide contextual information that may not have been captured through the questionnaire responses alone. The interview guides were designed to cover a wide range of topics, including the legal framework governing maritime boundaries, historical grievances, diplomatic negotiations, and challenges

faced in resolving the dispute. Interviews were conducted face-to-face, allowing for rapport-building and facilitating open and candid discussions. Transcripts of the interviews were then analyzed thematically to identify recurring themes, divergent viewpoints, and areas of consensus or disagreement among participants.

3.10 Data Analysis

The goal of data analysis was to transform unstructured information into a form that is more suitable for study and use as recommended by Chakravarthy & Jiang (2009).

Data analysis in the study involved a systematic approach to uncover patterns, themes, and insights from the collected data. Quantitative data obtained from the questionnaires were analyzed using statistical techniques such as descriptive statistics, including frequencies and percentages to summarize and interpret the responses. This analysis allowed the researcher to quantify stakeholders' experiences related to the maritime dispute, providing an overview of the distribution of opinions and viewpoints within the sample population. Furthermore, inferential statistics, such as t-tests, were employed to examine relationships and associations between variables, enabling the researcher to identify significant correlations or differences among different stakeholder groups or across various dimensions of the dispute. Through statistical analysis, the study identified trends, patterns, and disparities in stakeholders' perspectives, contributing to a nuanced understanding of the complex dynamics surrounding the Kenya-Somalia maritime dispute.

Qualitative data obtained from semi-structured interviews were analyzed thematically to uncover deeper insights and contextual understanding of the issues at hand. Transcripts from interviews were carefully reviewed and coded to identify recurring themes, concepts, and narratives related to the dispute. By organizing the data into

meaningful categories and subcategories, the researcher was able to identify commonalities, divergent viewpoints, and areas of consensus or disagreement among participants. Through constant comparison and iterative analysis, themes and patterns emerging from the qualitative data were refined and interpreted in relation to the broader research objectives. The integration of both quantitative and qualitative data analysis techniques allowed for a comprehensive and multifaceted exploration of the Kenya-Somalia maritime dispute, enriching the depth and breadth of the research findings and providing a solid foundation for informing potential pathways towards resolution.

3.11 Ethical Considerations

The study adhered to ethical principles by addressing three main ethical considerations: obtaining consent, protecting privacy, and ensuring anonymity of respondents. Prior to field visit, the researcher obtained approval from Kenyatta University Graduate School and a research permit from the National Commission for Science, Technology and Innovation (NACOSTI).

Further, informants and respondents were provided consent forms stating the clear and detailed information about the study's purpose, procedures, and potential risks and benefits before agreeing to participate. Informed consent ensured they understood their rights, including the voluntary nature of participation and their ability to withdraw from the study at any time without consequences. Additionally, steps were taken to protect respondents' privacy during interviews by conducting them in private settings where confidentiality could be maintained. Respondents and informants were assured that their responses would be anonymized and aggregated in the analysis to prevent the

identification of individual participants, thereby safeguarding their privacy and confidentiality throughout the research process.

Furthermore, the study upheld ethical standards by protecting the anonymity of respondents. To ensure anonymity, data collected from participants were securely stored and only accessed by authorized researchers involved in the study. Any identifying information that could potentially link responses to specific individuals was removed or anonymized to prevent unintended disclosure of participants' identities. This measure helped to alleviate concerns about potential repercussions or stigmatization that respondents might face due to their participation in the study.

CHAPTER FOUR

PRESENTATION AND DISCUSSION OF THE STUDY

4.0 Chapter Overview

The chapter presents an analysis of both quantitative and qualitative data collected on site. Quantitative data were collected through self-administered questionnaires distributed to different categories and collected upon completion. The categories included: senior MFDA officials, representatives of the Somali Embassy in Kenya, international relations experts, representatives of multinational corporations and companies, and fishermen from the respective beach management units. Qualitative data were collected through face-to-face interviews with the identified key informants in the above categories.

4.1 Demographic Information

The study had targeted 160 respondents in the questionnaire survey, however feedback obtained was from 158 respondents, at a response rate of 99%. Further, in the interviews, all the 4 target informants were responsive at a response rate of 100%. A response rate of 70% or more is considered excellent by Mugenda and Mugenda (2003). The yield in the survey was as shown in Figure 4.1.

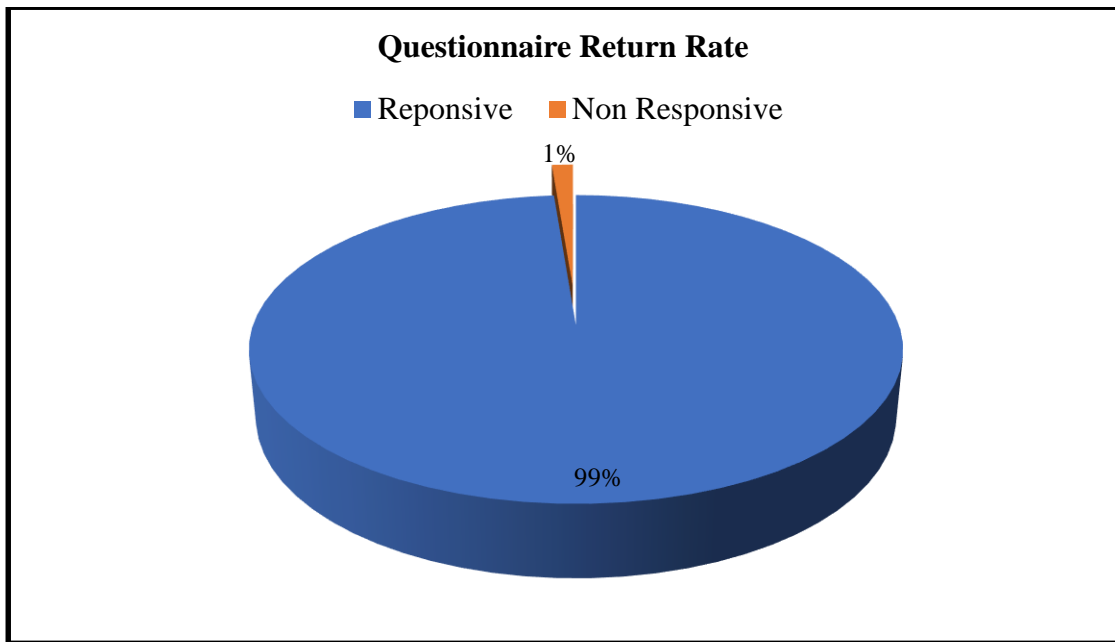


Figure 4.1: Questionnaire Return Rate

Source: Field Data, 2023

4.1.1 Demographic Characteristics of Respondents

This section discusses the demographic characteristics of the sampled respondents which included; gender, highest level of education and duration of service in the workstation of the respondents who contributed in the study on conflict mapping and international maritime dispute resolutions between Kenya and Somalia.

4.1.2 Gender of the Respondents

The gender aspect in the study was significant due to its importance in ensuring a comprehensive and inclusive examination of the Kenya-Somalia maritime conflict. Gender plays a significant role in shaping perspectives, experiences, and decision-making processes within societies, including those involved in diplomatic negotiations, policy formulation, and economic activities related to maritime disputes. By acknowledging and addressing gender disparities in respondent representation, the

researcher was able to mitigate the risk of overlooking diverse viewpoints and insights that influenced the analysis and resolution strategies of the conflict. Figure 4.2 demonstrates the gender of respondents.

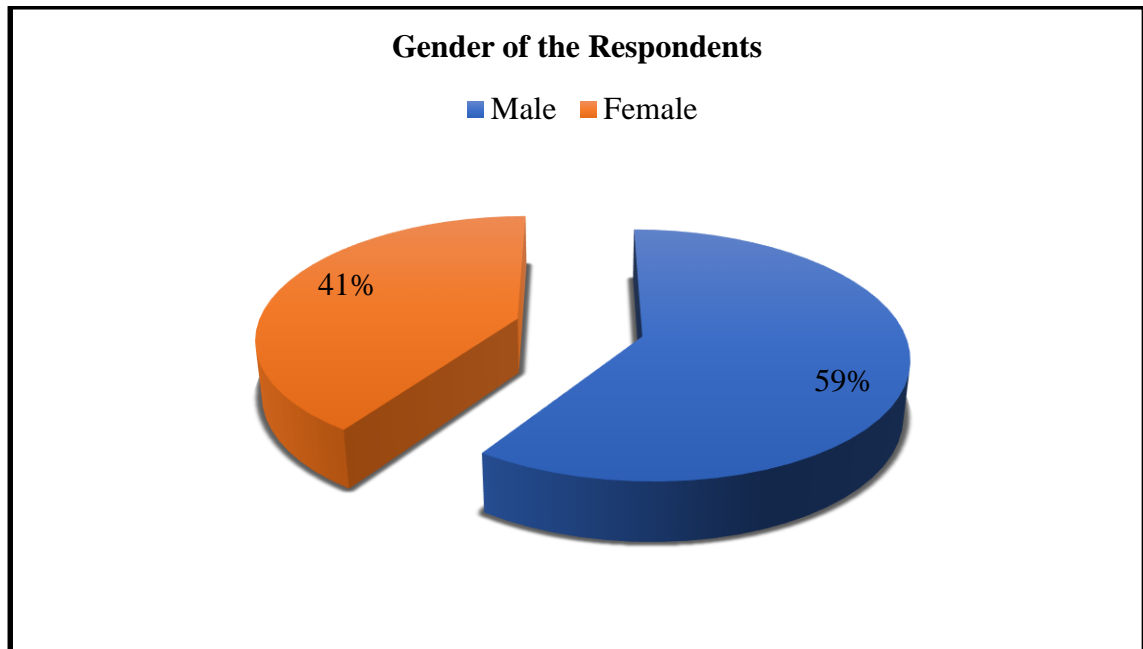


Figure 4.2: Gender of the Respondents

Source: Field Data, 2023

About 59% of those who responded were male, while 41% were female. Considering gender in the study on conflict mapping and international maritime dispute resolutions between Kenya and Somalia was important considering that gender is a fundamental aspect of identity, and including gender perspectives ensured that the study acknowledged and incorporated gender-based concerns. It helps avoid the marginalization or exclusion of certain groups, particularly women, who have historically been underrepresented in decision-making processes.

Conflict and maritime disputes have different impacts on men, women, boys, and girls. By considering gender, the study can identify how conflict affects different genders

differently, including their roles, vulnerabilities, and coping mechanisms. Understanding the gendered impacts of conflict and maritime disputes is crucial for discerning how these events affect individuals differently based on gender identity. By incorporating a gender perspective into the study, uncovered disparities in roles, vulnerabilities, and coping strategies. For instance, women encountered obstacles in accessing resources, engaging in decision-making processes, or experienced gender-based violence amidst conflicts, highlighting the need for targeted interventions and policies to address these disparities. By recognizing and addressing gender-specific challenges, the study contributed to a more equitable and effective conflict resolution strategies that considered the diverse needs and experiences of all individuals affected by maritime disputes.

In line with securitization theory, understanding gender dynamics was paramount for fostering effective peacebuilding and conflict resolution endeavors (Eriksson & Smyth, 2021). Women frequently assume pivotal roles in peacebuilding efforts, offering distinctive perspectives and innovative solutions to address conflicts. Integrating women into decision-making processes and validating their experiences not only promotes inclusivity but also enhances the efficacy and longevity of conflict resolution initiatives. The study indicates that diverse participation, including women's involvement, correlates with more successful and enduring peace agreements. By recognizing the agency and contributions of women in conflict resolution, societies can harness their potential to foster lasting peace and stability, aligning with the fundamental tenets of securitization theory that emphasize broad-based security considerations beyond traditional military concerns.

Taking gender into account helps identify gaps in existing legal and policy frameworks

related to conflict and maritime disputes. It allows for the development of more inclusive and comprehensive policies that address the specific needs of different genders and promote gender equality in the resolution of conflicts.

4.1.3 Demographical Characteristics of Respondents Education

The study sought demographic characteristics of respondents' education to gain a comprehensive understanding of the educational backgrounds of the participants involved in the research. Education serves as a critical determinant of individuals' perspectives, knowledge, and decision-making capacities, particularly in matters related to international relations, maritime disputes, and conflict resolution. By examining the educational profiles of the respondents, the study aimed to assess the diversity of expertise, qualifications, and disciplinary backgrounds within the participant pool.

Understanding the educational demographics of the respondents helps contextualize their insights and contributions to the research, allowing for a more nuanced analysis of the maritime conflict and facilitating the identification of potential resolution strategies informed by varying levels of education and expertise among stakeholders. Additionally, exploring educational demographics enabled the researcher to identify potential gaps in knowledge or expertise informing efforts to address knowledge disparities and enhance inclusive participation in conflict resolution processes. The findings were as follows in figure 4.3:

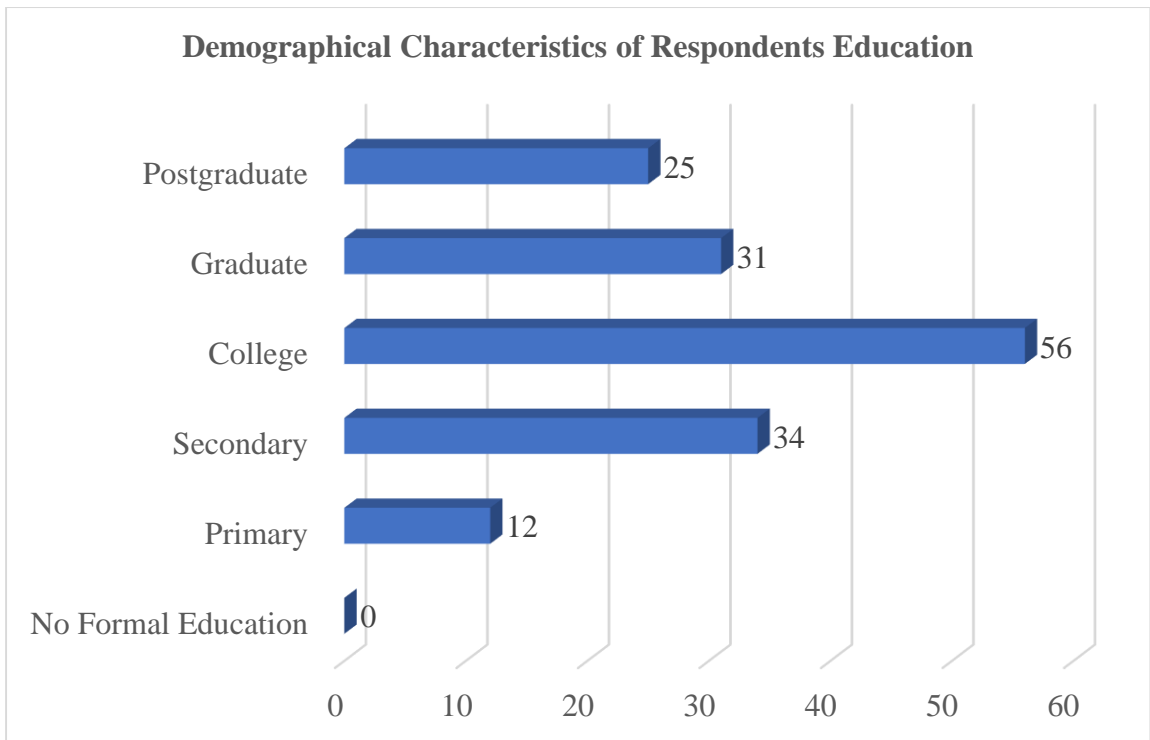


Figure 4.3: Highest Level of Education of the Respondents

Source: Field Data, 2023

According to figure 4.3, the distribution of respondents across different levels of education showed a notable absence of individuals with no formal education and a predominance of participants with higher levels of educational attainment. Drawing from securitization theory, which emphasizes broad-based security considerations beyond traditional concerns, the findings underscored the significance of education in shaping individuals' abilities to comprehend and engage with security issues like the Kenya-Somalia maritime conflict.

The relatively low representation of respondents with primary education (12) and the absence of individuals with no formal education highlight potential challenges in ensuring inclusivity and accessibility in conflict resolution processes. Securitization theory asserts that inclusive participation, encompassing diverse educational

backgrounds, is essential for addressing security threats comprehensively and fostering sustainable peace. Thus, the findings underscore the importance of addressing educational disparities to promote more inclusive and effective conflict resolution efforts, aligning with securitization theory's emphasis on broad-based security considerations.

Furthermore, the higher representation of respondents with college (56), graduate (31), and postgraduate (25) education levels indicated a significant cohort of individuals with advanced analytical skills and specialized expertise. They are capable of offering nuanced insights and strategic perspectives to inform conflict resolution strategies. From a securitization perspective, these individuals possess the human capital necessary to navigate complex security challenges, contribute to diplomatic negotiations, and effectively engage in policy formulation processes. Their educational backgrounds equip them with the knowledge and skills to critically assess security threats, identify potential pathways toward resolution, and advocate for inclusive and sustainable peacebuilding approaches.

4.1.4 Duration of Service of the Respondents

Knowledge about the duration of service can assist in succession planning and ensuring continuity in conflict resolution processes, further draw the experiences on conflict in the region. It helps identify individuals who may be retiring or transitioning out of their positions, highlighting the need for knowledge transfer and capacity-building initiatives to maintain institutional memory and expertise. Results are shown in figure 4.4.

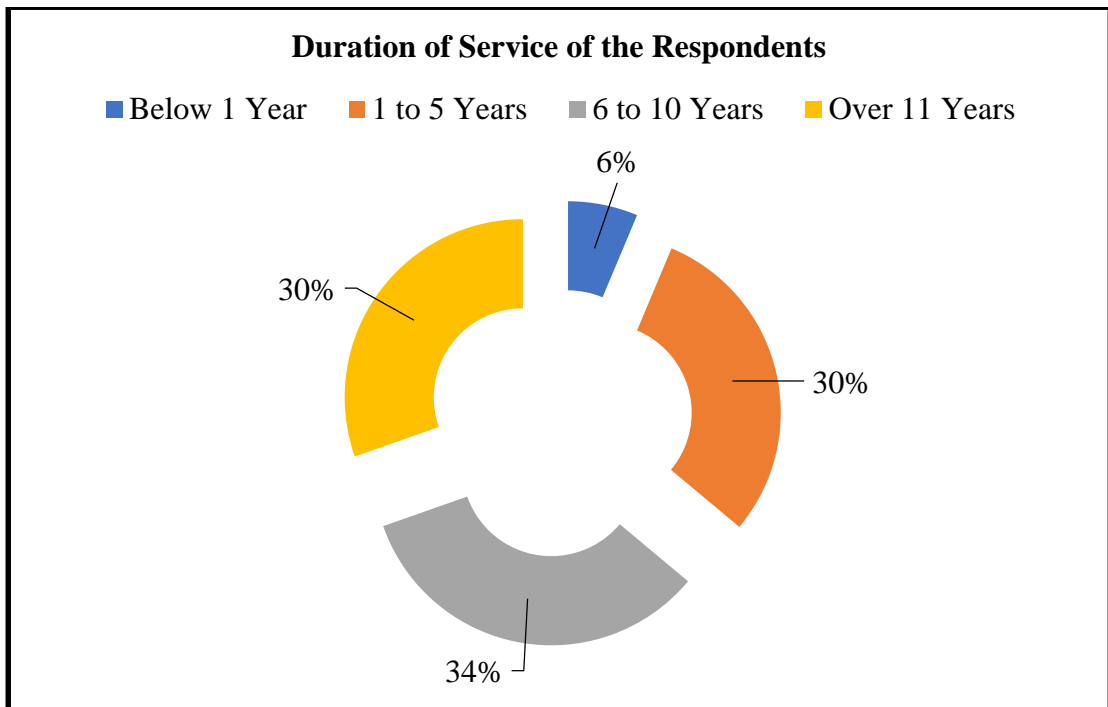


Figure 4.4: Duration of Service of the Respondents

Source: Field Data, 2023

According to the data, 6% of the respondents had stayed in their workstation for less than a year. 30% had stayed for 1 to 5 years and over 11 years respectively. 34% had stayed for 6 to 10 years, giving them extensive knowledge of the issues at hand and allowing them to offer valuable contributions to the study.

Considering the duration of service of respondents in the study on conflict mapping and international maritime dispute resolutions between Kenya and Somalia was important for it provided an indication of the respondents' experience and familiarity with the conflict and maritime disputes. Individuals who had served in their workstations for an extended period had a deeper understanding of the historical context, dynamics, and complexities of the conflict. Their experience contributed valuable insights and expertise to the study.

Respondents who had served for a longer duration possessed institutional knowledge.

They had insights into the organizational structures, decision-making processes, and policies related to conflict resolution and maritime disputes. This knowledge provided a more comprehensive understanding of the factors influencing the conflict and informed potential solutions.

Long-term duration of service allowed individuals to develop networks and relationships with key stakeholders involved in conflict resolution efforts. These connections provided access to valuable information, diverse perspectives, and collaboration opportunities. Understanding the duration of service helped identify respondents who had established relationships and contributed to a broader network analysis.

The duration of service indicated the respondents' ability to adapt to changing circumstances and learn from past experiences. Those who had served for a longer time had witnessed shifts in the conflict dynamics and had insights into effective or ineffective past resolution efforts. Understanding their adaptation and learning processes informed future strategies and approaches.

4.2 Causes of Maritime Disputes between Kenya and Somalia

It is important to note that causes of maritime disputes between Kenya and Somalia are complex and interconnected. Figure 4.5, highlighted on the causes.

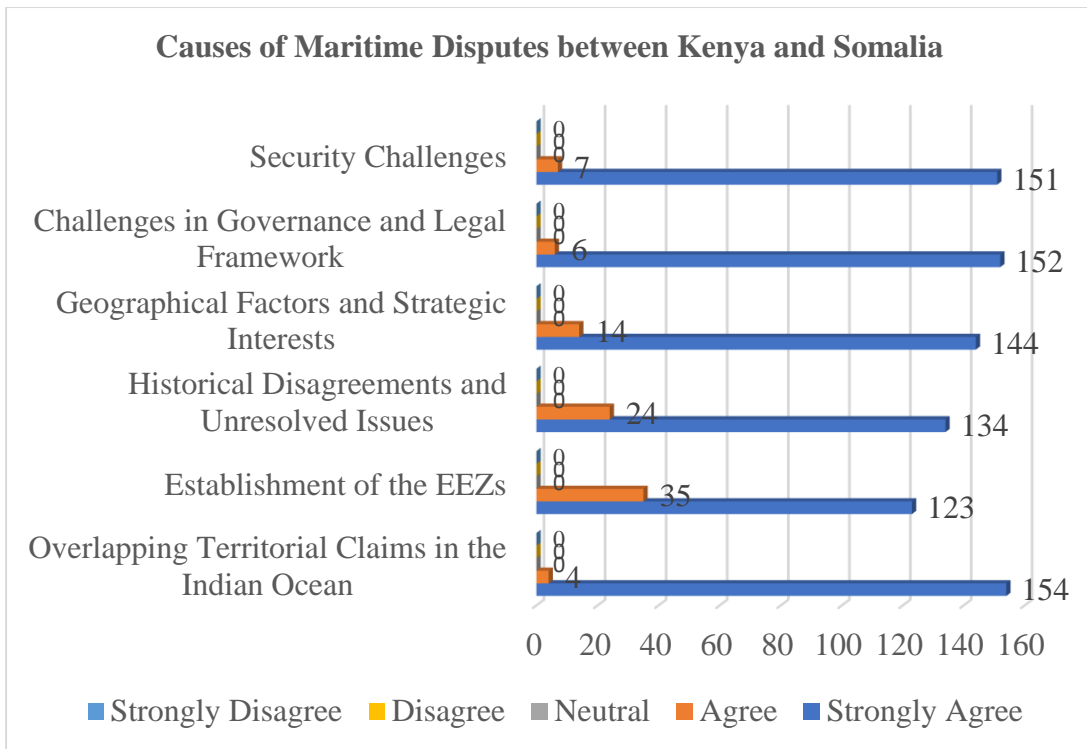


Figure 4.5: Causes of Maritime Disputes between Kenya and Somalia

Source: Field Data, 2023

The findings reveal a strong consensus among respondents regarding various issues related to the Kenya-Somalia maritime conflict. Across all categories, including overlapping territorial claims, establishment of EEZs, historical disagreements, geographical factors, governance and legal framework challenges, and security concerns, the majority of respondents either strongly agree or agree with the statements presented. This unanimity underscores the gravity and complexity of the conflict, with stakeholders recognizing the overlapping territorial claims, historical disputes, and governance challenges as significant contributors to the ongoing tensions. Moreover, the absence of responses indicating disagreement or strong disagreement suggests a high degree of consensus among participants regarding the key issues at stake in the conflict. These findings provide valuable insights into the perceptions and priorities of

stakeholders involved in the conflict, highlighting common ground that could serve as a foundation for dialogue and collaborative efforts towards resolution

The establishment of EEZs under the United Nations Convention on the Law of the Sea (UNCLOS) was another factor contributing to the maritime disputes. Kenya and Somalia both sought to claim a larger portion of the EEZ, which would grant them rights to exploit the natural resources, including fisheries, oil, and gas reserves, within their designated maritime boundaries. In an interview, an informant noted that:

The primary cause of the maritime dispute between Kenya and Somalia is the disagreement over the delimitation of their maritime boundaries. Both countries claim ownership of a stretch of the Indian Ocean that is believed to be rich in oil, gas, and other natural resources. The UNCLOS provides guidelines for determining the boundaries of a country's EEZ, which grants exclusive rights to explore and exploit natural resources within the designated area. Kenya and Somalia have conflicting interpretations of the maritime boundary, leading to overlapping EEZ claims. The political landscape in Somalia has undergone significant changes, including the formation of a federal government in Mogadishu and the emergence of the semi-autonomous region of Somaliland.

(KII 1, Nairobi, 14th June, 2023)

Historical disagreements and unresolved issues had further exacerbated the maritime disputes. The boundaries between Kenya and Somalia were established during the colonial era, although there are differing interpretations and claims over the maritime territory. The lack of a clear historical agreement on the boundaries has contributed to ongoing tensions and disputes.

On the same note, geopolitical factors and strategic interests also played a role in the maritime disputes. The contested area lies along a strategically significant maritime route and is close to major international shipping lanes. The presence of valuable natural resources and potential economic benefits makes the area attractive to both

countries, leading to increased competition and disputes. In an interview, an informant stated that:

In my view, it's undeniable that geopolitical factors and strategic interests significantly influenced the maritime disputes between Kenya and Somalia. The contested area isn't just a random stretch of ocean; it holds immense strategic importance as it lies along vital maritime routes and is proximate to major international shipping lanes. This strategic location makes it a focal point for both countries, each vying to assert control over the area to safeguard their national interests and enhance their geopolitical standing.

(KII 3, Nairobi, 19th June, 2023)

The presence of valuable natural resources, such as oil and gas reserves, and the potential economic benefits associated with maritime activities intensify the competition and disputes between Kenya and Somalia. According to Wanzetse (2021) the intricate interplay between geopolitical considerations, strategic interests, and maritime disputes, emphasizing the need for diplomatic efforts and multilateral cooperation to address these complex challenges and ensure stability in the region.

Challenges in governance and legal frameworks had contributed to the cause of the maritime disputes. Both Kenya and Somalia have experienced political instability and governance issues, which hinder effective negotiation and resolution of the disputes. Additionally, the absence of a binding agreement on maritime boundaries between the two countries has created uncertainties and difficulties in resolving the conflicts.

I can attest to the significant role that challenges in governance and legal frameworks have played in exacerbating the maritime disputes between Kenya and Somalia. Both countries have grappled with political instability and governance issues, which have hampered their ability to engage in effective negotiations and find mutually acceptable solutions to the disputes. The lack of stable governance structures and institutions has led to uncertainty and inconsistency in diplomatic engagements, making it difficult to build trust and reach lasting agreements.

(KII 3, Nairobi, 19th June, 2023)

The absence of a binding agreement on maritime boundaries between Kenya and Somalia has only added to the complexities of the conflicts, leaving room for ambiguity and disagreement over territorial claims. As a result, resolving these disputes has become increasingly challenging according to Mohamed (2021), highlighting the pressing need for concerted efforts to address governance shortcomings and establish clear legal frameworks that can facilitate peaceful resolution and cooperation between the two countries.

The maritime disputes had also been intertwined with security concerns. Somalia, in particular, has been dealing with issues of piracy and instability along its coast, which have impacted the broader regional security dynamics. The disputes over maritime boundaries intersected with security challenges, causing maritime disputes. In an interview, an informant opined that:

This shift has complicated the negotiation process and added complexity to the maritime dispute. The potential wealth of natural resources, particularly oil and gas reserves, in the disputed area has heightened the stakes for both countries. The economic potential of these resources has further intensified the competition and desire to control the maritime zone. Historical factors, such as colonial-era agreements and treaties, also play a role in the dispute. These agreements have led to differing perceptions of the maritime boundaries between Kenya and Somalia. The disputed maritime zone has become a potential area for illegal fishing, piracy, and other maritime security challenges. The lack of a clear boundary exacerbates security concerns, making it challenging to coordinate efforts in the region effectively.

(KII 3, Nairobi, 19th June, 2023)

It is worth to note that almost all maritime boundary conflicts stem from nations' overlapping other nations claims, including fishing, petroleum extraction, and scientific research (Schofield, 2021). A state's choice to create such rights without telling or consulting its neighbor generally raises questions about the legitimacy of the state's

action and the legal ramifications this action would have for the interests of the states involved, which an international lawyer would analyze.

The study revealed that the Kenya-Somalia Maritime Conflict is more about fishing rights and alleged oil and gas discoveries than it is about colonial history. Kenya believes the maritime boundary ought to eventually take a 45-degree turn to the north and run parallel to the latitude, whereas Somalia takes the position that the maritime border, out to a distance of 200 nautical miles from the shore, runs in the same way as the land border. Hence, a maritime area of around 162,580 square kilometers would be added to Kenya, particularly concerning the natural resources, this is a vast area.

I find it that the Kenya-Somalia Maritime Conflict is primarily driven by disputes over fishing rights and alleged oil and gas discoveries rather than solely being rooted in colonial history. The differing interpretations of maritime boundaries between Kenya and Somalia underscore the economic significance of the disputed area, which spans approximately many square kilometers.

(KII 1, Nairobi, 14th June, 2023)

Informed by the sentiments, Kenya contends that the maritime boundary should extend with a 45-degree turn to the north, potentially adding significant territory to its maritime jurisdiction (Reed, 2020). Conversely, Somalia maintains that the maritime border should align with the land border, leading to conflicting claims over valuable natural resources in the region. This highlights the tangible economic interests at stake, particularly concerning potential oil and gas reserves, making the resolution of the conflict crucial for both countries' economic development and resource exploitation. While historical factors may inform the context of the dispute, it is the contemporary issues of resource access and territorial sovereignty that predominantly drive tensions and negotiations between Kenya and Somalia (Mwago, 2019).

The study found that Somalia's petition to the ICJ for an expansion of its EEZ and the establishment of clear maritime boundaries between the two countries underscored the enduring impact of colonial-era boundaries and the ongoing struggle for sovereignty and territorial rights. As such, while the 2014 law suit in the ICJ may have catalyzed the conflict, its underlying causes are traced back to the colonial legacy and the complexities of post-colonial territorial disputes. In an interview, an informant opined that:

In my view, the assertion that the conflict between Somalia and Kenya traces its origins back to the colonial era resonates deeply. The enduring legacy of colonial boundaries and the arbitrary demarcation of territories, continues to influence contemporary disputes between the two nations. The escalation of tensions in 2014, when Somalia took legal action against Kenya before the ICJ, underscores the significance of historical grievances in shaping the conflicts. Somalia's lawsuit, which centered on Kenya's alleged infringement of Somalia's EEZ, reflects broader disputes over maritime boundaries and territorial sovereignty that have historical roots.

(KII 4, Nairobi, 20th June, 2023)

In view of the verbatim, the conflict between Somalia and Kenya has its roots in the colonial era, according to the research of Martinon (2019). But problems escalated in 2014 when Somalia sued Kenya before the ICJ for invading Somalia's EEZ, which extends out to sea and covers an area of 100,000 square kilometers. Somalia has petitioned the ICJ for an increase in the size of the EEZ as well as the establishment of a line that touches and separates the territorial sea between Somalia and Kenya and the EEZ. Somalia claims that Kenya must compensate it in full for Kenya's infringement of international obligations and disregard for Somalia's territorial sovereignty as noted by Martinon (2019).

The study revealed that Kenya asserts that it has authority over the contested territory because of a 1979 Memorandum of Understanding (MoU) signed between Somalia and

Kenya, with Kenya wondering what has happened to Somalia leading to protest this allegation. Kenya proposes that its territory begins to the southeast of Kyunga and run along parallel latitudes, with the line of eastern longitude denoting the boundary. Somalia chooses a diagonal approach down Kenya's coast to ensure that the boundary follows the same southerly trajectory as a projection of the beach border into the ocean. In an interview, an informant stated that:

In my view, Kenya's assertion of authority over the disputed territory based on the 1979 MoU signed between Somalia and Kenya is of significance. The existence of this agreement underscores the historical context of bilateral relations and the understanding reached between the two nations regarding maritime boundaries.

(KII 2, Nairobi, 15th June, 2023)

In relation to the sentiments, Kenya's bewilderment over Somalia's sudden protestation of this agreement raises valid questions about Somalia's motivations and the circumstances leading to its challenge of the MoU as revealed by Mohamed (2021). Kenya's proposal for a boundary that begins southeast of Kyunga and runs along parallel latitudes, demarcated by the line of eastern longitude, adheres to a clear and logical framework based on established geographical coordinates (Mohamed, 2021). Hence, Somalia's preference for a diagonal approach along Kenya's coast seems to deviate from established principles, potentially complicating efforts to delineate clear and mutually acceptable maritime boundaries. As such, Kenya's stance, rooted in historical agreements and geographic logic, provides a compelling argument for its authority over the disputed territory, emphasizing the importance of adherence to established agreements and principles in resolving territorial disputes.

The study established that the expansive EEZs claimed by both nations, covering more than 100,000 square kilometers of the ocean, exemplify the stakes involved in the

dispute. The presence of geopolitical interests further complicates efforts towards a peaceful resolution, as external parties are drawn to the region's abundant resources. Kenya's request for Somalia to retract a map claiming the disputed territory and its insistence on notifying potential investors of the disputed status of oil blocks within the area underscore the complexities of managing external interventions and safeguarding national interests amidst the maritime dispute. In an interview, an informant claimed that:

The maritime dispute between Kenya and Somalia in my perspective, underscores the divergent approaches to delimiting maritime boundaries based on differing principles. Kenya advocates for the straight-line delimitation principle, while Somalia favors the equidistance delimitation principle, leading to overlapping positions along their shared maritime border. This discord is further fueled by both countries' recognition of the strategic importance of maritime resources for national development, particularly in terms of hydrocarbon and fish resources.

(KII 3, Nairobi, 19th June, 2023)

The sentiments suggests that Kenya and Somalia's clash over their sea border stems from their differing approaches to maritime boundaries. Kenya prefers a straight-line approach, while Somalia argues for a distance-based method. This disagreement is fuelled by the importance both countries place on controlling these resource-rich waters. Each claims an EEZ encompassing over 100,000 square kilometres (Pamba, 2019). The presence of external actors interested in the region's resources further complicates finding a peaceful solution. Kenya has even demanded Somalia remove a map claiming the disputed area and warn potential investors that they lack ownership or authority over the contested oil blocks.

On 7th of April 2009, the foreign ministers of Somalia and Kenya signed an MOU to end their countries' long-running border conflict (Menkhaus, 2018). It's worth noting

that the Norwegian Embassy drafted the agreement to offer legitimacy to the newly installed transitional government in Somalia. The MOU states that the two coastal nations' final border route is still undecided and that the disputing parties must present their recommendations to a panel within a reasonable time frame. Paragraph 6 of the summary says:

“The delimitation of maritime boundaries in the areas under dispute shall be agreed between the two coastal States based on international law after a Commission [on the Limits of the Continental Shelf, hereinafter CLCS] made its recommendations to two coastal States concerning the establishment of the outer limits of the continental shelf beyond 200 nautical miles. This memorandum of Understanding shall enter into force upon its signature.”

After the agreement was reached, Somalia said it was not binding under international law. This treaty could not be ratified by the Somali delegate under Somali tradition. Because of this, the agreement was invalid. On the contrary, Kenya insisted on adherence to the agreement and claimed that following paragraph 6, the agreement had already come into effect upon signing. At the very least, Somalia had to follow the guidelines outlined in the MoU's clause 6. In doing so, a bilateral deal would take precedence over a legal resolution (Mburu, 2019). Both parties still have points of contention today. On the one hand, given the violent neighbourhood, it is a question of political honour. However, on the other side, it's also a real economic problem. For instance, the fishing industry in these regions may be open to outsiders like China, Europe, the United States, and Japan depending on how the war is settled. Also increasingly at risk are the rights to explore the assumed oil and gas resources (Wambua, 2020).

The study revealed that the underlying sources of conflict, including the imperative to protect vital national interests and navigate internal political dynamics in Somalia, underscore the complexity of the dispute and the challenges it presents to both

countries. While Somalia advocates for a legal resolution to the dispute, Kenya favors a political approach, viewing it as a means to restore amicable relations between the neighbouring states. The study's findings resonate with the notion that Kenya must prioritize foreign policy options aimed at safeguarding its territorial integrity, national security, and valuable seabed resources in the contested maritime zone. By advocating for political solutions over legal avenues, Kenya and Somalia can foster better neighbourly relations and unlock the economic potential of the disputed area, ensuring mutual benefit and regional stability in the process. In an interview, an informant indicated that:

In my perspective, the multifaceted ramifications of the Kenya-Somalia maritime dispute, extending far beyond mere territorial claims. The strained diplomatic relations between Kenya and Somalia, exacerbated by the dispute, have created an environment of uncertainty, impacting collaborative efforts in combating terrorism in the Horn of Africa and ensuring the protection of Somali refugees. The dispute poses a significant obstacle to the stabilization of Somalia, further complicating regional security dynamics.

(KII 1, Nairobi, 14th June, 2023)

On the sentiments, Midiwo (2020) indicated that the dispute has resulted in constrained diplomatic relations between Kenya and Somalia, has created uncertainty in the fight against terrorism in the Horn of Africa and the protection of Somali refugees, and is likely to impede efforts toward the stabilization of Somalia. Factors that cause conflict over maritime boundaries as an area of national interest, through securing territory and resources, with Somalia's internal political issues further complicate matters. Additionally, according to Midiwo (2020) external actors add to the tension, considering that the two countries have different preferred approaches. Somalia leans towards legal solutions, while Kenya favors political solutions for better relations. The

study ultimately argues that Kenya should prioritize protecting its interests through foreign policy. However, it also suggests that, if possible, both countries should find a political solution to utilize resources outside the EEZ more effectively.

The interests of political elites are another challenge of conflict mapping. Deep-seated interests exist among Somalia's senior political figures, particularly in the country's petroleum industry and marine resources (Maluki, 2019). These private interests propelled the quick approval of the 2020 Petroleum Law, which led to the speedy appointment of individuals associated with those in political leadership to key positions within the Somalia Petroleum Authority (Gundel, 2020). As a result, Puntland and Jubaland disapproved of the law. The political elite are keen to maintain sole control over the oil industry because it deters Federal Members States (FMS) (Haroldson, 2020). For instance, they are in charge of the largely unaccounted-for oil exploration expenses. Before the 2021 presidential election, the funds were used to purchase political favors, advancing their interests in the disputed maritime zone. The Somalia government's development strategy is threatened by negotiations for a petroleum production agreement that would give Soma Oil and Gas, a British corporation, estimated to bring in 90% of the country's oil earnings according to Gridneff (2015).

4.3 Conflict Mapping and Actors

Conflict mapping was about identifying the key actors and their interests in the conflict. In the Kenya-Somalia maritime disputes, several key players have been identified, including the Kenyan government, particularly the MFDA and the Ministry of Defense, who played an important role in enforcing Kenya's territorial claims and protecting its interests in the disputed maritime area. Kenya sought to maintain control of the maritime

triangle in terms of its potential oil, gas, fishing resources and prestige, as shown on the conflict map in Figure 4.6.

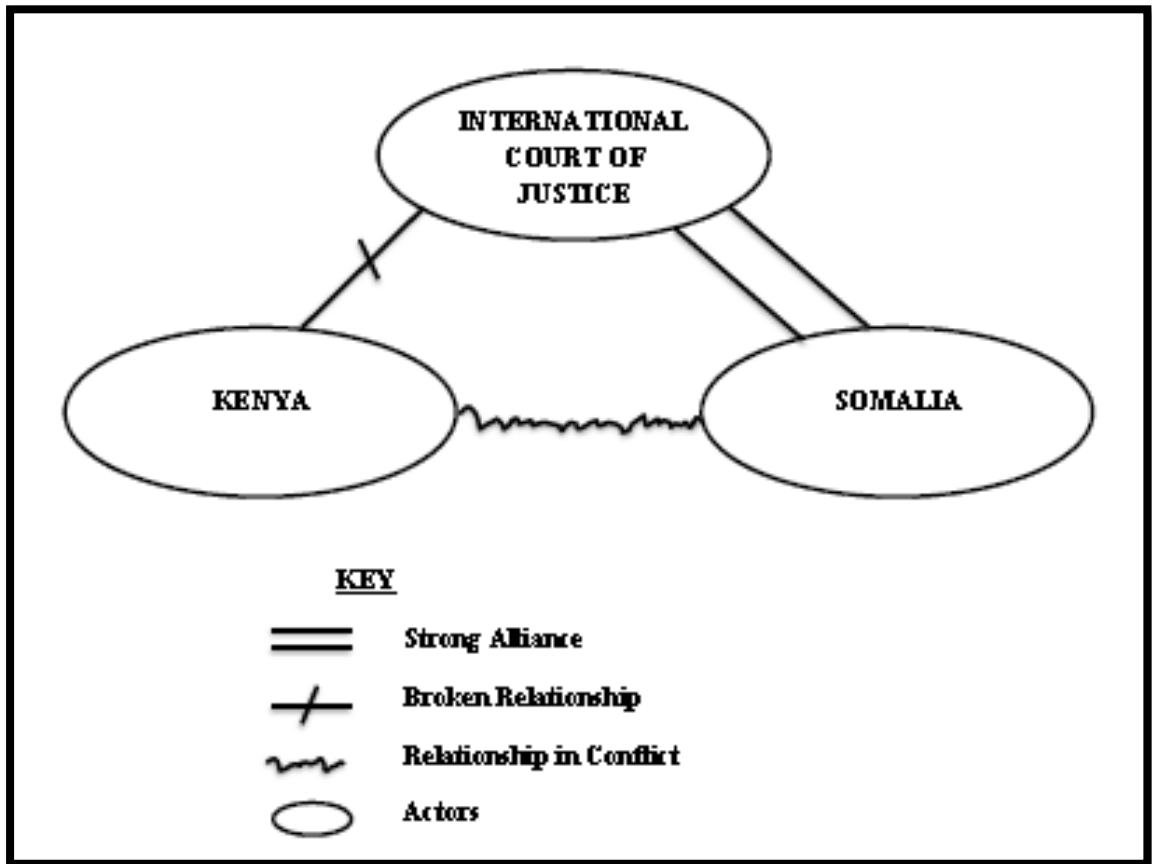


Figure 4.6: Conflict Map

Source: Researcher, 2023

The study found that conflict mapping involves identifying and analyzing various aspects of conflicts, including their causes, actors involved and impacts. A key aspect was the categorization of conflicts according to their type, such as ethnic, political or resource-based. The responses collected from the 158 respondents are presented in Table 4.1 using the percentage breakdown of ethnic, political and resource-based conflicts in the data set, allowing for quick understanding the predominant conflict types.

Another crucial aspect was identifying the primary actors involved in conflicts. This

included government entities, rebel groups, ethnic militias, or external forces and responses revealed the number of conflicts involving government entities compared to rebel groups or external forces. The representation helped to highlight the dominant actors in the conflicts analyzed. In an interview an informant pointed out that:

The Government of Kenya is a major actor in the maritime disputes. Kenya claims ownership of a maritime area that extends southward from its coastline, overlapping with Somalia's claimed territory. Kenya has pursued legal and diplomatic avenues to assert its claims; including submitting its case to the ICJ for arbitration. Kenya has also taken measures to protect its interests in the disputed waters, such as increasing maritime patrols and bolstering its naval capabilities. The Federal Government of Somalia is also a key actor in the maritime disputes. Somalia claims ownership of a larger maritime area than what Kenya recognizes, based on its interpretation of the maritime boundary. Somalia has also sought legal recourse by submitting its case to the ICJ, asserting its claims and seeking a favorable ruling. Somalia's position is complicated by the existence of the semi-autonomous region of Somaliland, which has declared its independence and claims control over its own maritime zone.

(KII 2, Nairobi, 15th June, 2023)

Various international actors and organizations were involved in resolving the maritime disputes between Kenya and Somalia. These include regional organizations such as the African Union (AU) and the Intergovernmental Authority on Development (IGAD), as well as international organizations such as the UN. These institutions provided mediation, facilitated negotiations, or offered support in conflict resolution efforts. UNCLOS served as the primary legal framework for resolving maritime boundary disputes. Both Kenya and Somalia referenced UNCLOS in the provisions to support their respective claims and sought a fair solution based on international law.

Local communities residing in the coastal regions of Kenya and Somalia, as well as fisher folk dependent on the maritime resources, were key actors in the conflicts. Their livelihoods and access to resources were directly affected by the resolution of the

disputes, and their perspectives and concerns were taken into account during conflict mapping and resolution efforts. In an interview, an informant indicated that:

The ICJ is the primary legal avenue chosen by both Kenya and Somalia to resolve maritime disputes. The ICJ is an independent judicial body that has the authority to hear and decide cases related to maritime boundary delimitation. The court plays a crucial role in assessing the legal arguments presented by both countries and making a binding ruling on the matter. The AU has been involved in mediation efforts between Kenya and Somalia, attempting to facilitate a peaceful resolution to the disputes. The AU's Peace and Security Council and its Special Envoy on maritime boundary disputes have been engaged in diplomatic initiatives to encourage dialogue and negotiations. Various countries and international organizations have expressed interest in the maritime disputes and have called for a peaceful resolution. Diplomatic channels and international forums provide platforms for discussions and negotiations between the two countries, with mediation efforts supported by countries such as the United States and Qatar. Local communities, fishermen, and other individuals who rely on the disputed maritime area for their livelihoods are indirectly affected by the disputes. Non-state actors, such as pirate groups and illegal fishing operations, exploit the lack of a clear maritime boundary, contributing to security challenges in the region.

(KII 2, Nairobi, 15th June, 2023)

The research draws heavily from an analysis by Yiallourides (2021) on the political impasse surrounding the resolution of maritime boundary disputes in the East China Sea and the Aegean Sea between Greece and Turkey. Despite decades of diplomatic efforts to find a middle ground, neither side appears willing to give up its maritime or territorial claims. There have been multiple events at sea, some of which have resulted in diplomatic protests, military standoffs, and even exchanges of fire. There is an immediate need for a meaningful discussion because the current status quo is inherently unstable and does not favor either side. This holds hostage the multiple benefits that could otherwise be generated from the exploitation of the seabed energy and mineral resources in the disputed waters.

Table 4.1: Conflict Aspects

Aspect	Findings
Types of Conflicts	
Ethnic Conflicts	45 respondents (28.5%)
Political Conflicts	62 respondents (39.2%)
Resource-based Conflicts	51 respondents (32.3%)
Primary Actors	
Government Entities	53 respondents (33.5%)
Rebel Groups	41 respondents (25.9%)
Ethnic Militias	30 respondents (19.0%)
External Forces	34 respondents (21.5%)
Geographical Distribution	
Kenya	122 respondents (77.2%)
Somalia	36 respondents (22.8%)
Root Causes of Conflicts	
Socio-economic Disparities	50 respondents (31.6%)
Political Grievances	35 respondents (22.2%)
Historical Tensions	28 respondents (17.7%)
Other	45 respondents (28.5%)
Conflict Dynamics Over Time	
Year 2014-2016	50 respondents (31.7%)
Year 2017-2019	35 respondents (22.2%)
Year 2020-2022	42 respondents (26.6%)
Year 2023	31 respondents (19.6%)
Impact of Conflicts	
Displacement	55 respondents (34.8%)
Mortality Rates	40 respondents (25.3%)
Economic Losses	63 respondents (39.9%)

Source: Field Data, 3023

Furthermore, conflict mapping included assessing the geographical distribution of conflicts and identified regions with the highest concentration of conflict, which provided valuable insights for further analysis or intervention efforts. In addition, conflict mapping often involved examining the root causes of conflicts, such as socioeconomic inequalities, political grievances, or historical tensions. The presentation enabled those involved to understand the complexity of the cause of the conflict and to prioritize interventions accordingly. Furthermore, analyzing the dynamics of conflicts

over time has been crucial to understanding their evolution and possible course. The analysis enabled the identification of trends and patterns and facilitated informed decisions and strategic planning. Finally, conflict mapping included assessing the impact of conflict on various socio-economic indicators such as displacement, mortality rates or economic losses. The findings highlighted the ability of policymakers and humanitarian organizations to prioritize resources and interventions to mitigate the negative impacts of conflict on affected populations.

4.4 Assessment of Conflict Resolution

The study assessed conflict resolution between Kenya and Somalia. In a Likert scale, respondents opinion was sought as indicated in table 4.2.

Table 4.2: Respondents Opinion on Conflict Resolution over the Kenya-Somalia Maritime Dispute

Opinion	Strong Agreement	Agree	Disagree	Strongly Disagree
Complaints about maritime borders are not adequately addressed	37.5	33.3	25	4.2
The state of relations between Kenya and Somalia	43.8	50.1	4.2	1.9
The maritime border have prompted the two countries to seek regional support from other nations	20	66.7	8.3	5
Poor natural resource management has reverberated on Kenya-Somalia maritime due to maritime border conflicts	70.8	20	5	4.2
Kenya-Somalia conflicts have led to risky resource competition	60.4	30.3	5	4.3
Non-utilization of resources was being observed as a result of the maritime conflict	49.2	30	10.8	10
Revision of the colonial maritime border is necessary to ensure territorial integrity	47.5	40	6.5	6
Kenya-Somalia maritime boundary conflict may be improved with the inclusion of Non-State Actors	48	30	12	10

Kenya and Somalia might be achieved if both nations strictly enforced their maritime border regulations	40.8	30	20.8	8.4
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Source: Researcher (2023)

According to the results of the study, 37.5% of respondents strongly agreed that complaints about maritime borders are not adequately addressed, while 33.3% agreed, 25% disagreed, and 4.2% strongly disagreed. This decline can be directly attributed to the research into native exclusion at the maritime border. The findings from the study highlighted a concerning sentiment and an informant pointed out that:

The handling of complaints about maritime borders has long been a contentious issue, marked by a pervasive sense of frustration and disillusionment among affected communities. Stakeholders have increasingly been vocal about the inadequacies in addressing their concerns. Despite efforts to address maritime border disputes, there persists a widespread perception of neglect and indifference from authorities.

(KII 4, Nairobi, 20th June, 2023)

Informed by the sentiment, the notable suggested a heightened awareness of systemic injustices and marginalization within border management practices. The inadequacy to address the complaints indicated a shift in public perception, as increased scrutiny prompted a reassessment of existing policies and their impact on indigenous and marginalized communities (Latulippe & Klenk, 2020). It underscored the significance of addressing maritime border disputes transparently and inclusively, recognizing the diverse perspectives and ensuring equitable outcomes for all stakeholders involved.

43.8% of the respondents expressed strong agreement, 50.1% of the respondents were in agreement where as 4.2% expressed disagreement while 1.9% was in strong disagreement, about the state of relations between Kenya and Somalia is improving. A total of 66.7% respondents agreed with 20% in strong agreement with the statement that tensions along the Kenya-Somalia maritime border have prompted the two countries to

seek regional support from other nations, 8.3% disagreed while 5% were in strong disagreement. It was also discovered that the military was involved in the process of drawing maps of border areas during the colonial era, and that errors may have occurred due to a lack of scientific knowledge at the time; this has resulted in deaths, conflicts, unending disputes, and the loss of properties among communities, bringing a negative relation between Kenya and Somalia. This demonstrates that as mineral and natural resource extraction increases, so do territorial disputes, criminal activity, threats to public safety, and political wrangling. The findings from the study highlighted a concerning sentiment and an informant stated:

It is clear that there is a diverse range of perspectives regarding the state of relations between Kenya and Somalia. There are expressions of optimism about the improvement of these relations, while there are skeptical notions too, creating tensions.

(KII 1, Nairobi, 14th June, 2023)

Informed by the verbatim, the acknowledgment of tensions along the maritime border and the subsequent efforts by both nations to seek regional support underscores the intricate geopolitical dynamics at play. The historical context provided, particularly regarding colonial-era border mapping processes and their lasting consequences, highlights the complexities inherent in border disputes and their impact on diplomatic relations as noted by Kobusingye et al. (2020). Moreover, the correlation drawn between resource extraction and the escalation of territorial disputes, criminal activity, and political tensions underscores the multifaceted challenges facing neighboring states, necessitating comprehensive and inclusive approaches to address these issues and foster regional stability.

The majority of respondents strongly agreed that poor natural resource management has reverberated on Kenya-Somalia maritime due to maritime border conflicts, as captured

by the research on the Continental Shelf and Kenya-Somalia Relations. This was proven by a response rate of 70.8%, with 20% of respondents indicating agreement and 5% indicating disagreement while 4.2% strongly disagreed. However, 60.4% of respondents strongly agreed that Kenya-Somalia conflicts have led to risky resource competition between the two countries, while 30.3% agreed, 5% disagreed and 4.3% strongly disagreed and on that view an informant stated that:

The impact of poor natural resource management on Kenya-Somalia maritime relations has raised significant concerns regarding the stability and cooperation between the two nations. These concerns extend beyond mere territorial disputes to encompass broader issues such as resource competition, environmental degradation, and socioeconomic instability.

(KII 3, Nairobi, 19th June, 2023)

The sentiments underscored the gravity of the situation and the widespread recognition of the reverberating effects of maritime border conflicts stemming from inadequate resource management practices. Moreover, the findings indicated a consensus among respondents regarding the risks associated with resource competition between the two countries due to these conflicts (Mutuke *et al.*, 2022). The substantial percentage of strong agreement further emphasizes the urgency of addressing these issues to mitigate the potential for further tensions and instability in the region. This underscores the interconnectedness of natural resource management, maritime disputes, and diplomatic relations, highlighting the need for collaborative efforts to promote sustainable resource utilization and foster peaceful coexistence between Kenya and Somalia.

The vast majority of respondents 49.2% strongly agreed, 30% agreed that non-utilization of resources was being observed as a result of the maritime conflict between Kenya and Somalia, while 10.8% disagreed and 10%, strongly disagreed. This demonstrated that the boundary of the continental shelf is settled upon through agreement between two or more states whose coasts face each other on opposite sides

of the continental shelf. The results showed that the majority of respondents agreed that a revision of the colonial maritime border is necessary to ensure territorial integrity. 47.5% strongly agreed, 40% agreed, while 6.5% disagreed and 6% strongly disagreed with the assertion in a qualitative inquiry, an informant opined that:

The non-utilization of resources resulting from the maritime conflict between Kenya and Somalia has far-reaching and multifaceted impacts on both nations and the broader region. Beyond the immediate economic implications of lost revenue and hindered development opportunities, the underutilization of maritime resources perpetuates cycles of poverty and exacerbates socio-economic disparities among coastal communities.

(KII 2, Nairobi, 15th June, 2023)

Informed by the verbatim, it is worth to acknowledge that the detrimental impact of this conflict on resource exploitation and economic development in the region is significant. Furthermore, the findings underscore the importance of reaching agreements between neighboring states to establish clear boundaries, as highlighted by the need for revisions to colonial maritime borders to ensure territorial integrity. According to Muigai (2020) the necessity of such revisions emphasizes the imperative of resolving longstanding disputes to promote stability and cooperation in the maritime domain, facilitating sustainable resource utilization and fostering mutual prosperity between Kenya and Somalia.

Strong agreement was found between the majority of respondents (48%) and 30% agreeing with the statement that the Kenya-Somalia maritime boundary conflict may be improved with the inclusion of Non-State Actors (12%) of the respondents disagreeing and 10% strongly agreeing. Most respondents (40.8%) strongly agreed with 30% of the respondents who agreed to the thought that better ties between Kenya and Somalia might be achieved if both nations strictly enforced their maritime border regulations, while another 20.8% agreed and 8.4% disagreed.

Kenya's continued failure to adhere to the deadlines set by the ICJ demonstrates that the two coastal states have not yet reached an agreement and suggests that this dispute could drag on for years. Due to territorial disputes, the ICJ has gotten involved, and diplomatic hostilities have broken out between Kenya and Somalia. For example, Kenya deported Somali diplomats, prompting the Somali government to ban Khat transportation into Somalia. More recently, the Kenyan government banned air travel into Somalia. In an interview a key informant explained revealing that:

Conflict mapping in the maritime disputes between Kenya and Somalia is a complex task. It involves identifying and analyzing various factors, including territorial claims, historical contexts, legal interpretations, political dynamics, resource exploration, and security concerns. These multifaceted elements contribute to the complexity of accurately mapping the conflicts. One of the primary challenges in conflict mapping is determining the exact boundaries claimed by both Kenya and Somalia. Disagreements arise due to conflicting interpretations of historical agreements, colonial-era boundaries, and the application of international law, particularly the UNCLOS. These differences in boundary perceptions make it difficult to establish a definitive conflict map. The involvement of international legal processes, such as the submission of the dispute to the ICJ, adds another layer of complexity to conflict mapping. The legal arguments put forth by Kenya and Somalia, as well as the court's eventual ruling, can influence the perception and understanding of the conflicts. Mapping conflicts while legal proceedings are ongoing requires continuous assessment and updates. Availability and access to reliable and up-to-date information can pose a challenge in conflict mapping. This is particularly true when it comes to obtaining accurate data on the actual maritime boundaries, resource exploration activities, and security incidents in the disputed area.

(KII 4, Nairobi, 20th June, 2023)

In this view, the Global Trends (2040) reveals that the lack of openness or conflicting reports could slow down the mapping process. When charting the course of a dispute, it is important to consider the perspectives and experiences of all parties involved, including national and local governments, communities, fishermen, non-state actors, and international actors. To fully grasp the complexities of the disagreements and their

implications, it is necessary to see things from many points of view. Accurate conflict mapping may have a major impact on the resolution of maritime disputes. It can help you understand the full scope of the issues at hand, shape your approach to negotiations, and facilitate the development of practical solutions. Conflict mapping aids in resolving conflicts by identifying potential areas for cooperation.

CHAPTER FIVE
SUMMARY OF THE FINDINGS, CONCLUSION, AND
RECOMMENDATIONS

5.0 Chapter Overview

In this chapter, the study's objectives are summarized, and the findings, conclusions, and recommendations are presented. The key findings are discussed, and conclusions are drawn based on those findings. Additionally, recommendations are provided.

5.1 Summary of the Findings

The study's findings shed light on the causes of the maritime disputes, identified key actors and their relationships through conflict mapping, and highlighted the relevance of this approach in understanding and addressing the conflicts. The findings contribute to a deeper understanding of the Kenya and Somalia maritime border disputes, assisting policymakers, mediators, and stakeholders in working towards a peaceful and equitable resolution. On examining the causes of maritime disputes between Kenya and Somalia the study revealed several key factors contributing to the conflicts. These include territorial claims, overlapping EEZs, historical disagreements, geopolitical interests, governance and legal framework challenges, and security concerns. The disputes primarily revolved around the ownership and exploitation of the maritime triangle, an area rich in oil, gas, and fisheries resources.

The application of conflict mapping techniques successfully identified key actors and their relationships in the maritime disputes between Kenya and Somalia. The primary actors identified were the governments of Kenya and Somalia, international community entities such as the United Nations, regional bodies like the African Union and IGAD,

mediators and facilitators involved in the resolution process, oil and gas companies, and local communities and fisherfolk. These actors play vital roles in shaping the conflicts and their resolution.

In the assessment of the relevance of conflict mapping in analyzing the Kenya and Somalia maritime border disputes demonstrated its significance in understanding the complexities and dynamics of the conflicts. Conflict mapping allowed for a comprehensive examination of the causes, actors, and relationships involved. It facilitated the identification of underlying issues, power dynamics, and potential avenues for negotiation and resolution. The findings of the conflict mapping study provide valuable insights and inform evidence-based strategies for resolving the maritime disputes.

5.2 Conclusion

Based on the findings, several conclusions were drawn:

The maritime disputes between Kenya and Somalia were primarily driven by overlapping territorial claims, disputes over EEZs, historical disagreements, geopolitical interests, governance and legal framework challenges, and security concerns. These causes contributed to the complex nature of the conflicts and the competition for control over the maritime triangle's resources.

Through the application of conflict mapping techniques, the study identified key actors involved in the maritime disputes. These actors include the governments of Kenya and Somalia, international community entities such as the United Nations, regional bodies like the AU and IGAD, mediators and facilitators, oil and gas companies, and local

communities and fisherfolk. The study further highlighted the interplay and relationships among these actors, illustrating the power dynamics and interests at stake. The study demonstrated the significance of conflict mapping in analyzing the Kenya and Somalia maritime border disputes. Conflict mapping provided a comprehensive understanding of the causes, actors, and relationships involved, allowing for a holistic assessment of the conflicts. It facilitated the identification of underlying issues and potential areas of resolution, informing evidence-based strategies for conflict resolution.

5.3 Recommendations

The following recommendations were drawn for tackling the complex maritime disputes between Kenya and Somalia:

1. Due to the intricate nature of the conflicts, sustained diplomatic engagement is crucial. This entails regular dialogue, negotiation efforts, and potentially mediation to address the root causes of the disputes. Finding common ground necessitates utilizing diplomatic channels to discover mutually agreeable solutions that address both parties' concerns.
2. The study recommends on the importance of conflict mapping in understanding the disputes. Integrating conflict mapping methodologies into ongoing and future resolution processes is recommended. This approach can provide valuable insights and inform evidence-based decision-making, leading to a deeper grasp of the conflicts and paving the way for more effective and inclusive resolution strategies.
3. The international nature of these disputes necessitates robust regional and international cooperation. Regional entities like the AU and the IGAD,

alongside international organizations like the UN, should actively support and facilitate dialogue between Kenya and Somalia. Collaborative efforts can contribute to building trust, promoting peaceful resolution, and addressing underlying concerns related to governance, security, and resource management.

4. The study underscores the importance of including diverse stakeholders in the resolution process. This necessitates ensuring meaningful participation from all relevant actors. Engaging these stakeholders fosters a sense of ownership, inclusivity, and sustainability in conflict resolution efforts. Platforms for dialogue, information sharing, and collaboration should be established to address the interests and concerns of all involved parties.
5. Given the legal aspects of the disputes, a strong emphasis on international law, particularly the UNCLOS, is recommended. Encouraging both Kenya and Somalia to ratify and implement UNCLOS can provide a framework for resolving the disputes in a fair and legally binding manner. Additionally, establishing clear maritime boundaries through negotiation or legal means can help mitigate tensions and foster stability in the region.
6. The resource disputes necessitate sustainable resource management practices. Developing and implementing joint resource management strategies that prioritize environmental sustainability, equitable access, and economic cooperation are crucial. Such strategies can help alleviate tensions and promote shared benefits from the resources, fostering cooperation rather than competition.

5.4 Suggestion for Further Studies

1. The Law of the Sea: Definition and Application of Maritime Zones and Boundaries in Africa.
2. Maritime Conflict Analysis: Understanding Causes, Unlocking Solutions.
3. Maritime Conflicts and Implications on Security.

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APPENDICES

Appendix I: Introduction Letter

I am a student at Kenyatta University conducting a study titled; “Conflict Mapping and International Maritime Dispute Resolutions Between Kenya and Somalia.” I kindly request you spare some of your time responding to these questions. Your information is of high value and will guarantee the success of this study. Your valuable response is confidential and no one will be given access to the data provided. Thank you in advance for your help and cooperation.

Yours sincerely,

Linda Kitavi

Appendix II: Questionnaires

Kindly tick (√) inside the relevant box where choices are given to indicate the correct answer. Otherwise, compose your response in the spaces provided where no options are given.

CONFIDENTIALITY CLAUSE:

The responses you provide will be used for academic purposes and will be strictly confidential.

SECTION A: DEMOGRAPHIC DATA

1. What is your gender?
 - a) Male ()
 - b) Female ()

2. What is your highest academic qualification?
 - a) Primary Certificate ()
 - b) Secondary Certificate ()
 - c) College ()
 - d) Graduate ()
 - e) Post Graduate ()

3. How many years have you stayed in the area
 - a) Below 1 years ()
 - b) 1-2years ()
 - c) 3- 4 years ()
 - d) Over 4 years ()

SECTION B: KEY ACTORS INVOLVED IN MARITIME DISPUTES

Please rate the following statements on the key actors involved in maritime disputes and how their relationships impact the potential for conflict resolution based on strongly agree, agree, neither agree nor disagree, disagree and strongly disagree.

Statement	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
To what extent do you agree or disagree that the Kenyan government is a key actor involved in the maritime disputes with Somalia?					
To what extent do you agree or disagree that the Somali government is a key actor involved in the maritime disputes with Kenya?					
To what extent do you agree or disagree that fishing communities play a significant role in maritime disputes between Kenya and Somalia?					
To what extent do you agree or disagree that companies play a significant role in the maritime disputes between Kenya and Somalia?					
To what extent do you agree or disagree the historical relationship between Kenya and Somalia impacts their ability to resolve the maritime disputes?					
To what extent do you agree or disagree involvement of United Nations impact the potential for conflict resolution in the maritime disputes between Kenya and Somalia?					
To what extent do you agree or disagree involvement of African Union impact the potential for conflict resolution in the maritime disputes between Kenya and Somalia?					

Based on your opinion, what are the key actors involved in maritime disputes, and how do their relationships impact the potential for conflict resolution? Kindly explain.....

SECTION C: CAUSES OF THE KENYA-SOMALI MARITIME DISPUTE

Please rate the following statements on the causes of Kenya Somali maritime dispute based on strongly agree, agree, neither agree nor disagree, disagree and strongly disagree.

Statement	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
Overlapping Territorial Claims in the Indian Ocean					
Establishment of the EEZs					
Historical Disagreements and Unresolved Issues					
Geographical Factors and Strategic Interests					
Challenges in Governance and Legal Framework					
Security Challenges					

Based on your opinion, what are other causes of the Kenya-Somali maritime dispute?

Please explain.....

SECTION D: INTERNATIONAL MARITIME DISPUTE RESOLUTIONS

Please rate the following statements on dispute resolutions based on strongly agree, agree, neither agree nor disagree, disagree and strongly disagree

Statement	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
1. To what extent do you agree or disagree the two countries often prefer to use negotiations to solve disputes?					
2. To what extent do you agree or disagree the two countries often prefer to use mediation to solve disputes?					
3. To what extent do you agree or disagree the two countries often prefer to use arbitration to solve disputes?					
4. To what extent do you agree or disagree the					

two countries often prefer to use neutral evaluation to solve disputes?					
5. To what extent do you agree or disagree a dispute resolution program is regularly employed in the area?					

6. In your opinion, what are other different types of international maritime dispute resolutions between the two countries? Kindly illustrate.....

SECTION E: CONFLICT MAPPING AND INTERNATIONAL MARITIME DISPUTE RESOLUTIONS

Please rate the following statements on the effect of conflict mapping on international maritime dispute resolutions based on strongly agree, agree, neither agree nor disagree, disagree and strongly disagree.

Statement	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
1. To what extent do you agree or disagree collecting field information influences international maritime					

dispute resolutions?					
2. To what extent do you agree or disagree conflict mapping aids in peacebuilding between the two countries?					
3. To what extent do you agree or disagree conflict mapping enables comprehending the conflict dynamics better for resolutions?					
4. To what extent do you agree or disagree conflict mapping has been used in several countries to solve internal and external conflicts?					
5. To what extent do you agree or disagree conflict mapping facilitates the identification of gaps and starting points for interventions?					

6. Based on your opinion, is there an effect of conflict mapping on international maritime dispute resolutions? Please explain.....

Appendix III: Key Informant Interview Guide

Objective: To examine the causes of maritime disputes between Kenya and Somalia.

1. Introduction a. Greet the key informant and introduce yourself and the purpose of the interview. b. Explain that the interview aims to understand the causes of maritime disputes between Kenya and Somalia. c. Emphasize the confidentiality of the interview and the importance of honest and open responses.
2. Understanding the Maritime Disputes a. Ask the key informant to provide their understanding of the maritime disputes between Kenya and Somalia. b. Probe deeper to gain insights into their perception of the main issues and factors contributing to the conflicts. c. Encourage the key informant to provide specific examples or incidents that they believe have fueled the disputes.
3. Causes of Disputes a. Inquire about the key informant's opinions on the main causes of the maritime disputes. b. Explore factors such as territorial claims, overlapping exclusive economic zones (EEZs), historical disagreements, geopolitical interests, governance and legal framework challenges, and security concerns. c. Encourage the key informant to elaborate on the relative importance of each cause and their interrelationships.
4. Historical Context a. Discuss the key informant's knowledge of the historical context of the disputes. b. Prompt the key informant to share any historical events or agreements that they believe have influenced the current state of the conflicts. c. Ask the key informant to consider how historical factors continue to impact the disputes.

Objective: To utilize conflict mapping to identify key actors and their relationships in the maritime disputes between Kenya and Somalia.

5. Identifying Key Actors a. Discuss the key informant's understanding of the key actors involved in the maritime disputes. b. Ask the key informant to identify and describe the roles of various actors, such as the governments of Kenya and Somalia, international community entities, regional bodies, mediators, oil and gas companies, and local communities. c. Encourage the key informant to provide insights into the relationships and power dynamics among these actors.
6. Conflict Mapping Techniques a. Explain the concept of conflict mapping and its relevance to understanding the maritime disputes. b. Inquire whether the key informant is familiar with conflict mapping methodologies or approaches. c. Seek the key informant's views on how conflict mapping can aid in identifying key actors and understanding their relationships.

Objective: To assess the relevance of conflict mapping by analyzing the Kenya and Somalia maritime border disputes.

7. Relevance of Conflict Mapping a. Engage the key informant in a discussion about the relevance and importance of conflict mapping in analyzing the maritime disputes. b. Ask the key informant to provide examples of how conflict mapping can contribute to a better understanding of the conflicts. c. Explore the key informant's opinions on how conflict mapping findings can inform conflict resolution strategies and policy-making processes.

8. Recommendations for Conflict Mapping
 - a. Seek the key informant's suggestions on how conflict mapping can be further improved or enhanced in the context of the maritime disputes.
 - b. Ask the key informant to propose any specific areas or aspects that they believe should be included in future conflict mapping efforts.
 - c. Inquire about the key informant's thoughts on how conflict mapping findings can be effectively communicated and utilized for conflict resolution.

9. Closing Remarks
 - a. Summarize the main points discussed during the interview.
 - b. Thank the key informant for their valuable insights and contributions.
 - c. Offer the key informant an opportunity to add any final comments or provide additional information.

Appendix IV: University Approval Letters



KENYATTA UNIVERSITY
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Our Ref: S205/CTY/PT/37599/2017

DATE: 30th May, 2023

Director General,
National Commission for Science, Technology
and Innovation
P.O. Box 30623-00100
NAIROBI

Dear Sir/Madam,


RE: RESEARCH AUTHORIZATION FOR LINDA KITAVI - REG. NO. S205/CTY/PT/37599/2017

I write to introduce Linda Kitavi who is a Postgraduate Student of this University. The student is registered for M.A degree programme in the Department of Security, Diplomacy & Peace Studies

Linda intends to conduct research for a M.A Project Proposal entitled, "Conflict Mapping and International Maritime Dispute Resolutions between Kenya and Somalia."

Any assistance given will be highly appreciated.

Yours faithfully,


PROF. ELISHIBA KIMANI
EXECUTIVE DEAN, GRADUATE SCHOOL

JL/mo

The National Commission for Science, Technology and Innovation, hereafter referred to as the Commission, was established under the Science, Technology and Innovation Act 2013 (Revised 2014) herein after referred to as the Act. The objective of the Commission shall be to regulate and assure quality in the science, technology and innovation sector and advise the Government in matters related thereto.

CONDITIONS OF THE RESEARCH LICENSE

1. The License is granted subject to provisions of the Constitution of Kenya, the Science, Technology and Innovation Act, and other relevant laws, policies and regulations. Accordingly, the licensee shall adhere to such procedures, standards, code of ethics and guidelines as may be prescribed by regulations made under the Act, or prescribed by provisions of International treaties of which Kenya is a signatory to
2. The research and its related activities as well as outcomes shall be beneficial to the country and shall not in any way;
 - i. Endanger national security
 - ii. Adversely affect the lives of Kenyans
 - iii. Be in contravention of Kenya's international obligations including Biological Weapons Convention (BWC), Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO), Chemical, Biological, Radiological and Nuclear (CBRN).
 - iv. Result in exploitation of intellectual property rights of communities in Kenya
 - v. Adversely affect the environment
 - vi. Adversely affect the rights of communities
 - vii. Endanger public safety and national cohesion
 - viii. Plagiarize someone else's work
3. The License is valid for the proposed research, location and specified period.
4. The license any rights thereunder are non-transferable
5. The Commission reserves the right to cancel the research at any time during the research period if in the opinion of the Commission the research is not implemented in conformity with the provisions of the Act or any other written law.
6. The Licensee shall inform the relevant County Director of Education, County Commissioner and County Governor before commencement of the research.
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8. The License does not give authority to transfer research materials.
9. The Commission may monitor and evaluate the licensed research project for the purpose of assessing and evaluating compliance with the conditions of the License.
10. The Licensee shall submit one hard copy, and upload a soft copy of their final report (thesis) onto a platform designated by the Commission within one year of completion of the research.
11. The Commission reserves the right to modify the conditions of the License including cancellation without prior notice.
12. Research, findings and information regarding research systems shall be stored or disseminated, utilized or applied in such a manner as may be prescribed by the Commission from time to time.
13. The Licensee shall disclose to the Commission, the relevant Institutional Scientific and Ethical Review Committee, and the relevant national agencies any inventions and discoveries that are of National strategic importance.
14. The Commission shall have powers to acquire from any person the right in, or to, any scientific innovation, invention or patent of strategic importance to the country.
15. Relevant Institutional Scientific and Ethical Review Committee shall monitor and evaluate the research periodically, and make a report of its findings to the Commission for necessary action.

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