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Christopher E. Bailey. *Counterterrorism Law and Practice in the East African*. Leiden: Brill, 2019. 319pp. ISBN: 978-90-04-38989-2.

Reviewed by: Hassan Ndzovu, Moi University, Kenya.

The book *Counterterrorism Law and Practice in the East African*, by Christopher E. Bailey, examines on a comparative basis within the East African Community (EAC) a range of counter-terrorism laws to confront the problem presented by both local and international groups that pursue political agenda through violent means. The book has seven chapters of varying lengths that present in detail the existing counterterrorism laws and practices in the EAC, and the controversies surrounding these laws in each of the East African country studied. Apart from providing an overview of countering terrorism within the region, Chapter 1 briefly describes the book's contents in the subsequent chapters. In Chapter 2, the book details counterterrorism law in the EAC, through an examination of an array of international laws that obliges the East African countries to take the responsibilities of countering the possible terrorist threat. As indicated in this chapter, the various East Africa countries have a growing body of law that is applicable to counterterrorism cases. From Chapter 3 to Chapter 6, the book focuses on individual countries' discussion of counterterrorism laws and practices in the region, analyzing "compliance with international obligations and standards, as well as noting strengths and weaknesses in national implementation" (p.75).

While discussing the evolution and uniqueness of challenges that Kenya faces with respect to counterterrorism law, Chapter 3 identifies four major threats, both domestic and foreign, in the Kenyan context. According to Bailey, the most dangerous threat to Kenya's national security is Somalia's al-Shabaab, which finds safe haven among sections of the country's Muslim communities. A clear law for combating terrorism in Kenya is the 2012 Prevention of Terrorism Act, which "gives precise definitions for common terms, outlines terrorism offenses with appropriate penalties, provides for the designation of entities as a terrorist organization subject to certain controls (a specified entity order), and authorizes the use of certain investigatory powers by police officers" (p.93). Despite Kenya's comprehensive legal framework for fighting terrorism, there is a need for the country "to modernize its counter-terrorism practice to ensure compliance with international standards in the arrest, detention, interrogation, extradition and trial of terrorism suspects" (p.93).

Like Kenya, Uganda also faces terrorism threats from both local and international actors as demonstrated in Chapter 4, with the major threat posed respectively by al-Shabaab and the Lord's Resistance Army (LRA). Despite the glaring threats of terrorism, the country, in theory, has the capacity to investigate and prosecute terrorism-related transgressions. With the enactment of the 2002 Anti-Terrorism Act, the country "proscribes a range of terrorist acts, labels four groups as terrorist organizations specifically including the LRA, provides for enhanced investigatory authorities for the government, extra-territorial application (long arm jurisdiction), and makes certain offenses triable and bailable only by the High Court" (pp.150-151). Though Uganda has shown "a willingness to address terrorism offenses through diverse legal instruments", Bailey argues that its "judiciary may be unable to prosecute the complex criminal cases involving politically charged terrorism offenses" (p.179).

Chapter 5 examines the cases of Burundi and Rwanda together due to common foreign and domestic threats, including the long-standing hostility between the Hutu and the Tutsi. In Burundi, the country's "law criminalizes terrorism, as well as an important range of acts that either constitute or facilitate acts of terrorism, but lacks the full range of terrorism offenses that have been proscribed in other [East African countries]" (p.206). Although the "Burundian law defines terrorism and proscribes a useful set of terrorist acts...it is lacking in certain important respects", Bailey opines (p.211). In the case of Rwanda, the country employs the Rwandan Penal Code to counter terrorism offenses. The Penal Code "criminalizes a wide range of activities that facilitate terrorism, such as acts involving ambush, murder, complicity to terrorism, terrorism proceeds, agreeing to provide material support, money laundering, violence against public authorities, activities that disrupt the electoral process, immigration offenses, corruption and bribery, terrorism financing, offenses related to illegal weapons, and offenses relating to illegal political organizations" (p.220). Even though the law seemingly combats terrorism, the country's law is accused of curtailing certain civil liberties, including "the freedom of press, expression, association, and assembly as it pertains to genocide ideology and ethnic divisionism" (p.220).

In Chapter 6, Bailey examines Tanzania. Like other East African countries, Tanzania also faces terrorist threats from both local and international actors. This has led to the country developing a comprehensive terrorism law known as the 2002 Prevention of Terrorism Act that provides a clear framework for combating terrorism. It is argued that, this law "criminalizes an important range of offenses, to including providing or collecting funds to be used in carrying out a terrorist act, using or possessing property for the purpose of committing or facilitating a terrorist act, soliciting and giving support to terrorist groups, harboring persons while having reason to believe that such person committed a terrorist act, providing weapons to terrorist groups, recruiting of persons for terrorist groups, conspiracy to commit terrorism offenses, and membership in terrorist groups" (p.239).

Bailey concludes the book in Chapter 7 with his overall findings concerning counterterrorism laws and practices in the EAC, with recommended changes in the national laws

of the various countries. Among the numerous proposals, Bailey suggests that each East Africa country “adopt(s) a mutual legal assistance treaty with explicit provisions regarding the investigation and prosecution of cases, to include the transfer (extradition) of suspects between countries” (p.22). Despite of the fact that each country has some statutory framework to address the challenges of terrorism, the author warns that the EAC will continue to be confronted by terrorist threats in the coming decades. This caution is attributed to the deep political, ethnic and religious divisions that are prevalent in these countries. To conclude, the book is a major contribution to African Studies and those interested in examining the subject of terrorism in relation to legal provision.

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