



## Kenya's Territorial Disputes and Security Implications: Case Studies from the Elemi Triangle to the Kenya-Somalia Maritime Conflict

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### Abstract

Territorial conflicts have invariably characterized Kenya's interaction with her neighbouring countries. Over time, these conflicts have threatened national security, economic stability and international relations of the country with her neighbours. These disputes are based on the colonial-era demarcations of boundaries, historical claims and the struggle over the natural resources that have some of the most prominent cases of the Elemi Triangle, the Milingo Island, the Kenya-Somalia maritime boundary and the Kenya-Tanzania border. This research paper used a convergent mixed-method design to investigate the nature and consequences of these controversies. The secondary and primary sources were used to collect data. The analysis involved the analysis of archival materials, government reports, international court documents and regional treaties, to be more specific, a purposive sample of forty-five (45) official documents and reports created by the Ministry of Foreign Affairs, the African Union and the International Court of Justice. Further, twelve (12) professional interviews were conducted to triangulate the findings and these were conducted with the diplomats, security analysts and scholars in the field of regional affairs. As has been discussed, unresolved issues on the territories have deteriorated border insecurity and disrupted the cross-border trade and the relationship between the states. Settlements living in the contentious frontiers are continuously displaced, engage in propaganda of resources and have restricted access to economic opportunities. However, peaceful solutions and collaboration exist through such multilateral systems as the East Africa Community (EAC), the African Union (AU) and the international adjudicatory organs such as the International Court of Justice (ICJ). The study suggests improved diplomatic bargaining, adherence to international determinations and shared assistance programs. A well-coordinated border governance strategy that involves community participation, diplomacy and security is the key to having regional stability, economic integration and sustainable development.

**Keywords:** *Border Disputes, Elemi Triangle, Kenya-Somalia Conflict, Milingo Island, Territorial Integrity*

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## Introduction

One of the persistent and disruptive problems of contemporary international relations is territorial contestations, usually tied to sovereignty, identity and access to resources. These conflicts have continued to be a hallmark of world politics ever since *uti possidetis juris* (UPJ) was bequeathed to former colonial territories. Recent cases like the Kashmir crisis between India and Pakistan, the Russia-Ukraine dispute over Crimea and the South China Sea dispute between China, Vietnam and the Philippines demonstrate that territorial integrity is still a vital element of state legitimacy (Kivimaki, 2023; Wilson Rowe, 2022). Even though the international processes like the United Nations (UN) Charter and the International Court of Justice (ICJ) offer the frameworks of peaceful resolution, the compliance and enforcement usually rely on the strategic interests of the leading global powers (Bailey, 2020). Recent research notes that, although the trend is rising, territorial arbitration is still vulnerable to geopolitical manipulation, thus reducing the effectiveness of international law in dealing with the issue of sovereignty (Gomez & Figueroa, 2024).

In most parts of Africa, the history of colonial boundary-making is the root of most of the territorial and maritime conflicts. The Berlin Conference of 1884-1885 partitioned Africa into territories without considering either the ethnic, cultural, or ecological facts and left ambiguous situations that are still producing tension between the neighbouring states (Akinyemi, 2021). In 1964, the Organization of African Unity (OAU) incorporated the principle of *uti possidetis juris* and colonial borders were preserved by the organization, which lasted to prevent the imminent instability. Although this principle contributed to averting the revision of the borders in masses, it also continued the latent conflicts, which were observed in the Bakassi Peninsula conflict between Nigeria and Cameroon, the Eritrea and Ethiopia border conflict and the Halaib Triangle conflict between Egypt and Sudan (Oucho, 2019; Oloruntoba, 2020). Later scholarship demonstrates that these conflicts have become more marked by the increasing resource nationalism of Africa, which is due to the competition over oil, gas and fisheries in Africa, particularly in the case of poorly demarcated maritime boundaries (Abdulrahman, 2022). Therefore, border wars continue to sabotage integration at the continental level, cross-border trade, and jeopardize peacebuilding efforts within the framework of the African Union (AU).

The Horn of Africa and the Great Lakes region of Africa have been among the most conflict-prone areas on the continent, with overlapping ethnicities, nomadic migration and porous borders. Colonial demarcation and postcolonial state-making have left the legacy of many tensions that, in many cases, overlap with internal political instability and identity politics (Kassaye, 2023). To give an example, the Ethiopia-Eritrea border dispute that lasted from 1998 until a peace agreement in 2018 illustrates how disputed sovereignty turns into long-term enmity. On the same note, the Sudan and South Sudan conflict over the oil-producing region of Abyei and the Somalia and its neighbors conflict over maritime borders represent the entanglement of borders and natural resource governance (Mohamed, 2021). The spread of small arms and light weapons (SALW), transnational militia actions and fragile institutional structures also exacerbate the situation of managing disputes in the area (Yohannes, 2024). Although regional bodies like the Intergovernmental Authority on Development (IGAD) and the African Union (AU) have helped in mediating some conflicts, recent studies are of the view that a multi-layered approach that integrates diplomacy, local involvement and sustainable management of resources is the only way to achieve lasting peace (Chatham House, 2023).

## Colonial Legacies and Border Conflicts of Kenya

The geographical location of Kenya in East Africa has a history of being the centre of territorial conflicts with the other neighbouring states and such conflicts have their roots in the colonial period of demarcation of territories, which at times ignored the ethnic, cultural and economic linkages within the local communities. These artificial boundaries of established by colonial powers during the late nineteenth century and early twentieth century, ignored the social organization of the locals that had been in existence for centuries. As a result, post-independence Kenya has been left with a history of disputed borders, which, since then, has been the source of conflict with Uganda, Tanzania, South Sudan, Ethiopia and Somalia. According to scholars,

colonial borders were not drawn with much consultation of the local people and the political and ethnic boundaries thus do not align, which still causes tension in the field of diplomacy (Okoth, 2022; Nyabola, 2020). These imposed borders also destabilized the local administration and caused a break in the old migratory and trading routes, further fueling inter-community hostilities and interstate hostilities in the postcolonial era (Wabwire, 2019).

Among the notable colonial-era treaties that had an influence on the territorial aspect of Kenya was the Anglo-German Agreement of 1886, which partitioned the East African region between Britain and Germany. This agreement determined the Kenya-Tanzania border without considering migration of communities like the Maasai, who had historically occupied both sides of the border (EastAfrican, 2025; Ndeda, 2023). The inability to appreciate the pastoral mobility of transboundary groups brought about long-term socio-economic problems to the population of borderlands that depend on cross-border grazing and trade. On the same note, the Kenya-Ethiopia border was demarcated by the Anglo-Ethiopian Treaty of 1902 and other agreements. However, due to the lack of clarity in the demarcation, the border has continued to be a source of conflict, especially in such areas as the Elemi Triangle, shared by both Kenya and South Sudan (Citizen, 2025; Ayele, 2023). According to recent studies, climate change and growing demands on natural resources have led to a further increase in competition in this triangle, which is why it has become a humanitarian and security issue (Mohamed, 2024). In addition, local political instability in Ethiopia and South Sudan frequently spills over to these disputed areas, making the diplomatic posture and security strategy of Kenya more difficult.

The other ruling made during the colonial era that has led to tensions is the demarcation of the Kenya-Uganda boundary along Lake Victoria. The boundary lines set by the colonial administrators were usually made to suit the administrative convenience without regard to the economic impacts such changes would have on the local fishing communities (Kenya News Agency, 2025; Wanyama, 2020). This demarcation is central to the conflict over the Migingo Island, where both Kenya and Uganda are asserting sovereignty over the small yet highly endowed Island. Scholars have characterized Migingo as a miniature of the inherited border issue in Africa, as rival state demands collide with the lives of small-scale fishermen (Nangulu, 2022). The conflict highlights the manner in which the inferences of ambiguity in colonial cartography have been transformed into diplomatic unease and lack of security in the contemporary world. Although both governments have tried to control the situation with the help of joint committees, the lack of a binding legal framework continues to promote mistrust and regular clashes between Kenyan and Ugandan law enforcement officers (Mutie, 2023). The conflict also shows how badly transboundary resource management and collective control of common natural resources are required.

The Kenya-Somalia border war is also rooted in history, as it happened at the beginning of the twentieth century when Britain handed over the Northern Frontier District (NFD) to Kenya against the will of the Somali communities (Al Jazeera, 2021; Hersi, 2019). After achieving independence in 1963, Somalia wanted to repossess the NFD and it resulted in the Shifta War (1963-1967), an armed conflict between the Kenyan government and Somali secessionists. The war was over, but the tension did not subside, leading to the conflict between the two countries over the waters that had natural resources in the Indian Ocean (ICJ, 2021; Khalif, 2020). In 2021, the decision of the ICJ, which mostly ruled in favour of Somalia, was a catalyst for the revival of nationalism and the debate of maritime sovereignty in Kenyan politics (Mutambo, 2022). Analysts also observe that counterterrorism operations by Kenya in the border region against the Al-Shabaab have introduced a new aspect to the conflict, which brought together problems of national security, energy exploration and international law (Mogaka, 2023). In this way, the Kenya-Somalia border is a centre of regional geopolitics, which demonstrates the impact of the colonial past on the tensions of the twentieth-century territories.

## **Theoretical Conceptualization**

This paper is based on realism, liberal institutionalism and securitization theory, which, combined, give a multidimensional perspective of the Kenya territorial conflicts and the security level in the context of Kenya.

The theories constitute the intellectual framework around which the paper explains the nature, causes and effects of the border conflicts in Kenya, as well as locating the reactions of Kenya in the context of the larger trends of international relations and regional diplomacy. The theories shed light on a unique yet complementary aspect of the phenomenon in question: realism describes the strategic interests and sovereignty of the state, which pursues them; liberal institutionalism highlights the moderate nature of the diplomatic process and multilateral institutions; the securitization theory demonstrates how the processes of foreign policy define territorial conflicts as existential threats to national security. Collectively, they offer a logical framework towards the explanation of the reasons behind territorial conflicts, their management and the implications on the stability of Kenya, both nationally and regionally.

Realism has continued to dominate modern international relations research by emphasizing the survival of states, national interest and territorial dominance in an anarchic world-system. Recent studies confirm that in an organization with no central governing body, the states have to pursue self-help policies and vie against one another in terms of resources and strategic space (Ajay Kumar, 2022). The realist approach is especially informative in the case of Kenya and its territorial conflicts, including the Elemi Triangle, Miguel Island and the Kenya-Somalia maritime boundary: Kenyan policies are driven by the need to protect its own sovereignty, fisheries and possible hydrocarbon resources and exert control over disputed strategic areas that are of vital national security and economic well-being to Kenya.

The realist calculus of power and security is evident in the actions of Kenya between the Elemi Triangle and the Kenya-Somalia maritime boundary up to the Migingo Island and to the Kenya-Somalia maritime boundary. Arguably, the Elemi Triangle is not merely a case of a historical boundary conflict, but also a battle over resources, water and grazing rights. On the same note, the dispute on Migingo Island with Uganda does not pertain to the size of the Island as much as to fisheries and the economic dominance of the lake that it commands over Lake Victoria. The realist concept of economic power as the foundation of national security is traced in the maritime dispute between Kenya and Somalia, where the Kenyan government is interested in Somali oil deposits. According to Juma (2016), Kenya and its aggressive diplomacy and military presence in the areas of conflict exemplify how the concept of realism remains relevant to the state's behavioural patterns. John Mearsheimer (2001) also argues that military power and strategic domination are instruments that are simply irreplaceable in safeguarding national interests. Therefore, border patrols, naval presence and diplomatic hardness of Kenya are efforts to exercise power, prevent encroachment and strengthen sovereignty in an uncertain regional environment.

Unlike realism, where competition and the conflictual nature of international politics are emphasised, liberal institutionalism amplifies the contribution of cooperation, interdependence and institutions in mitigating conflicts. Liberal institutionalism is based on the works of Robert Keohane (1984) and has been developed by Keohane and Martin (1995), who claim that international organisations and regional systems might contribute to predictable interactions, reduction of uncertainty, as well as peaceful conflict settlement. This argument is especially applicable to the inclusion of Kenya in the diplomatic interactions through the African Union (AU), the East African Community (EAC) and the ICJ in the resolution of the territorial problems. The application of legal and institutional mechanisms by Kenya portrays that the nation realises the importance of diplomacy and rule-based adjudication in discouraging the escalation. In order to explain, the fact that Kenya participated in the ICJ proceedings on the maritime boundary with Somalia shows that the country was ready to engage in an organised dialogue, even though it had reservations about the final ruling of the institution (ICJ, 2021).

Similarly, its membership in the EAC and the African Union frameworks portrays that it favours multilateral negotiation, which is the belief in liberal institutionalism to collaborate in an effort to realise a mutual security and economic stability in a given context. Kamau (2020) adds that even though realism urges Kenya to defend its sovereignty, liberal institutionalism urges the latter to curb the temptation with institutionalised diplomacy, making collective stability central. It is also through the theory that Kenya can be seen to seek the joint management of resources and economic interdependence as a de-escalation strategy. Other efforts, like the sharing of maritime resources between Uganda and Tanzania, in Lake Victoria, are good examples where

cooperation brings about peace by connecting the gains with the stability (Russett & Oneal, 2001). In addition, Kenya's membership of regional economic blocs encourages dialogue rather than confrontation and converts borders from a place of conflict to one of trade and cooperation. Therefore, liberal institutionalism complements realism, offering a pathway in which power politics can be tamed with the help of rules, norms and arrangements of cooperation.

Barry Buzan, Ole Waever and Jaap de Wilde (1998) from the Copenhagen School present a discursive aspect of security in their securitization theory. According to this theory, the disagreements do not necessarily present security threats. Nevertheless, they are so because of the way the political actors represent them as existential threats. This theoretical perspective will assist the study in exploring the ways the government, the media and the policymakers have presented the territorial conflicts in Kenya as a security crisis and required an extraordinary response. The territory issue in the Kenyan situation is not a matter of administration or law, but it is a matter of national identity and existence. An example of an action of securitisation pertinent to the present paper is the Kenya-Somalia maritime dispute. The Kenyan leaders and the citizens at large have made the conflict not only a matter of maritime boundaries but also a threat which is integrated with the factors of terrorists, pirates and illegal fishing. This framing explains why the level of naval patrols, intelligence and diplomatic lobbying of Kenya is increased - these are responses consistent with the process of securitisation. Similarly, the border between Kenya and Tanzania, particularly about trade obstacles and the flow of cattle, has been re-articulated as an economic security problem that has threatened lives and cohesion in the area (Kamau, 2020). The Elemi Triangle and the Migingo Island conflicts have also been contextualised on the threats to territorial integrity, the intervention through the application of the security forces and the mobilisation of popular opinion, but securitisation could free the militarisation-based responses at the expense of diplomacy. The problem of excessive securitization can be a cause of tension, as Buzan et al. (1998) warn, as it restricts political flexibility. However, the theory gives an essential analytical bridge between realism that uses security imperatives and liberal institutionalism, which uses cooperative conflict resolution. It demonstrates the way in which political framing converts contentious issues into national security priorities and forms policy, as well as public opinion.

Realism, liberal institutionalism and securitization theory all provide a comprehensive interpretive matrix for this study. Realism is the reason why Kenya views and protects its territorial integrity as a national interest and survival of power. Liberal institutionalism explains the involvement of Kenya in the aspects of diplomacy, legal and cooperative processes in managing conflicts in the institutional frameworks. Securitization theory explains under what circumstances and why such conflicts culminate in perceived national security crises, which require extraordinary state reactions. The synergy of these theories is that realism creates a motivation to advance the interests of the states, liberal institutionalism provides the means to manage the diplomatic process and the securitization theory explains the way in which the interests and means of achieving these interests are framed in the political discourse. In theory, this interaction can be depicted as a dynamic model that connects theory to practice. Realism is at the bottom and it is a symbol of Kenya seeking sovereignty, power and control over the strategic resources.

Superimposed on this is liberal institutionalism, which balances realist impulses by using organised cooperation, treaties and international law. Lastly, the theory of securitization overlaps by presenting the way these actions and institutions are framed and constructed as issues of existential significance in a political way. The three theoretical lenses merge, thus allowing the holistic approach to the territorial disputes in Kenya, which include the material, institutional and discursive dimensions. These affiliations are to point out that the territorial disagreement in Kenya cannot be viewed through a single theoretical perspective. In its place, the theory of realism, liberal institutionalism and securitisation indicates the complexity of the actions of states, participation in institutions and political representation. The three theories, therefore, do not just inform this study but also complement one another- they raise a multi-dimensional and well-balanced explanation of the territorial conflicts in Kenya and the security implications.

Table 1

***Conceptual Model***

<b>Study Objective</b>	<b>Anchoring Theory</b>	<b>Conceptual Linkage</b>
1. To analyze the historical and geopolitical factors underlying Kenya's territorial disputes	Realism	Explains state motivations, power dynamics and competition over sovereignty and resources
2. To assess the security and socio-economic implications of unresolved territorial disputes	Securitization Theory	Clarifies how disputes are framed as security threats affecting national stability and border livelihoods
3. To evaluate the effectiveness of diplomatic and institutional mechanisms for resolving territorial conflicts	Liberal Institutionalism	Illustrates how regional and international frameworks promote cooperation and peaceful dispute settlement

Source: Author, (2025)

**Methodology**

This paper was guided by a mixed-methods research, which combines both qualitative and quantitative methods to provide a holistic view of Kenya in terms of territorial conflicts. The combination of historical, diplomatic, economic and security aspects make the research more valid and allows for the discovery of a variety of opinions that are not presented in one-dimensional research. The primary data were gathered using semi-structured interviews with key stakeholders using a purposive sample, such as officials of the Ministry of Foreign Affairs, Kenya Defence Forces (KDF), historians, political analysts and community leaders in disputed border regions. Overall, a total of twelve (12) semi-structured interviews were conducted between January and April 2024. These interviews were covered the causes of conflicts, issues of national security and local diplomatic interactions. The semi-structured design was also loose and allowed the respondents to share very fine perspectives.

The border areas, such as Lamu, Mandera and Busia, also had three (3) Focus Group Discussions (FGDs) and the discussions involved people who were directly affected by the disputes. Each FGD consisted of 8-10 people; thus, the age was not homogeneous, nor were the gender nor the occupation. FGDs helped to identify experiences when it comes to the community level, coping mechanisms and how the government action/inaction was interpreted locally. The effects of contested borders on livelihood, trade and movement were also revealed in these group discussions. The secondary data concerned the application of a purposive sample of forty-five (45) documents, which comprised government publications, colonial treaties, court decisions, particularly the ICJ ruling on the Kenya-Somalia maritime boundary and academic literature. The historical evolution of the controversial boundaries was examined by relying on the archival materials, such as the maps of the colonial period and the reports of the administration. Triangulation of primary findings was done through policy briefs and media reports on different issues pertaining to the topic, including the African Union (AU) and the East African Community (EAC).

Interview and FGD transcripts were analysed using thematic analysis. Central themes were found and compared within the groups of stakeholders, including sovereignty, security, identity, diplomacy and economic disruption. Formal diplomatic positions and historical claims could be compared because of the content analysis of legal documents and treaties. The theoretical discussion has used three frames: Realism,

to learn how national interest informs border policy; Liberal Institutionalism, to study how diplomacy and international law work; and the Securitization Theory, to study how territorial concerns are represented as existential threats. This combination approach offers an empirically based and multidimensional explanation of the territorial conflicts in Kenya, with lived experiences and an institutional and geopolitical approach.

## Findings and Discussion

This part will give a critical discussion of Kenya's neighbourhood territorial conflict with its neighbours, which will discuss historical, economic and geopolitical forces that motivate the conflicts. Based on both primary and secondary sources of analysis, the analysis identifies the multidimensional effects of these conflicts on the national security, the livelihoods of the local people and the cooperation between the region. The discussion will be structured according to the significant areas of contention, such as the Elemi Triangle, the Migingo Island, the Kenya-Somalia maritime boundary and the Kenya-Tanzania border, as well as how colonial legacies, resource rivalry and institutional politics are manifested to influence the border tensions today.

### *Territorial Conflicts and their effect on Kenyan Sovereignty*

The consequences of the Elemi Triangle territorial conflict on the sovereignty, and security of Kenya and regional diplomacy are well-debated. A case in point is the Elemi Triangle among Kenya, South Sudan and Ethiopia, which has gained much scholarly attention. Mburu (2003) also blames cartographic ambiguities that existed during the colonial times and created a legal vacuum that allowed Kenya to gain de facto control. Waithaka (2018) points out that infrastructure development, as well as the military presence in the region by Kenya, is an indication of the intentional attempts to concentrate the requisite wherewithal in the disputed region. Moreover, Mburu (2006) argues that the long-term occupation may fall into the definition of the so-called effective control under international law, but it is still a disputable interpretation. The Kenya and Uganda conflict on the Migingo Island is also a similar situation that is well represented in literature. Owiti (2014) attributes the conflict to the colonial mapping mistakes and the fact that the fisheries of Lake Victoria had great economic value. Mwaura (2016) believes that the lack of a mutually agreed maritime boundary is a source of administrative overlap, whereas, in *Understanding Micro-Territorial Disputes in East Africa: The Migingo Case*, Otieno (2020) points out that the symbolic and economic value of Migingo is disproportionate. It increases nationalist tensions and East African Community (EAC) solidarity.

The Kenya-Somalia case of maritime conflict is a more recent yet complex legal case. In 2014, Somalia filed a case at the ICJ over a 100,000 km<sup>2</sup> ocean zone that is thought to have hydrocarbon deposits. In the case in the ICJ, which was decided in 2021, Somalia was mainly in favour, but Kenya dismissed the ruling based on national interests and security issues. Mwangi (2021) highlights the issue with Al-Shabaab operating along the contentious waters as a security threat. Gunawan et al. (2021) examine how the interpretation of the United Nations Convention on the Law of the Sea (UNCLOS) is divergent and how there is no cooperative model of engagement after ruling. Scholarship regarding the cultural and pastoral implications of the territorial enforcement has been addressed at the Kenya-Tanzania border. Lekuta (2020) notes that the enhanced enforcement by the Tanzanian government has interfered with the Maasai transboundary grazing and cultural activities. These conflicts, according to the author of this paper (Mgeni, 2021), are indigenous rights versus modern territorial sovereignty. Similarly, in the article *Border Dynamics and Regional Integration: A Study of the Kenya-Tanzania Frontier*, Simiyu (2019) notes that the presence of trade barriers, quarantine and resource access has compounded the integration process of EAC.

The Kenya-Ethiopia border and, more specifically, Moyale, portray the crossroads of ethnic conflict and resource wars. Kassa (2017) reveals that porous borders and low surveillance levels are some of the factors behind cross-border raids by organizations like the Borana and Gabra. These tensions are aggravated by

climate change and diminishing pastures, as Adano et al. (2021) recommend conflict-sensitive and joint-resource management strategies. Kahura (2020) is critical of the security-based approach of Kenya, suggesting participatory governance and the application of local peace committees to resolve the border tensions. All in all, these analyses suggest that the territorial issues in Kenya are strongly affected by colonial past, ethnicity, environmental forces and resource struggles. Although there are formal avenues to resolution through international legal mechanisms, including those of the ICJ in the Somalia case, these often fail to capture local dynamics and local-level effects. There is a general agreement that the multilateral dialogue, inclusion of community and territorial based structures are necessary to change these conflicts into a source of conflict to a source of cooperation across the literature.

### *The Elemi Triangle Conflict: History, Security and Diplomatic Approaches*

The Elemi Triangle is a tri-juncture region between Kenya, South Sudan and Ethiopia that is a resource-rich region, whose disputed status has lasted decades. Despite Kenya having de facto administrative control over the territory, South Sudan and Ethiopia both claim historical ownership of the territory, resulting in a multi-layered territorial dispute (Mburu, 2003). The causes of the war date back to the time of colonial-era delimitation and especially in the Anglo-Ethiopian Treaty of 1914, the boundaries were left unclear and did not take into account the local ethnic and resource relations (Schlee, 2013). The British administrative traditions fixed the patterns of control, favoring the northern frontier of Kenya and creating administrative patterns that could continue even after independence, thus consolidating the control of Kenya over the Elemi Triangle.

According to the officials of the Ministry of Foreign Affairs of Kenya, the further control of the country is not only based on the historical precedence but also on the strategic necessity, especially the necessity to control the borders of the country against external aggression and control the security of the resources. According to an interview by a senior KDF officer (KI/2025/01) based in Turkana:

*The region is a strategic buffer zone to national security. In case Kenya withdraws or relinquishes power, the frontier in the north would be left vulnerable to unregulated incursions and this may jeopardize the security of the communities and destabilize the nation. And it is not merely a question of land, but of avoiding an empty space that could be used by armed organizations.*

The South Sudan assertion is based on the administrative documents prior to independence, which show that sections of the Elemi Triangle were once under the Sudanese rule. In an interview, a University of Juba scholar ((KI/2025/03)) noted:

*The issue of border inheritance has not been settled yet. The colonial boundaries were never present on the ground and neither has Kenya or Ethiopia ever been formally renegotiated since independence. There has been conflict between national claims and day-to-day needs of survival of local communities and the state apparatus has not been able to resolve this conflict. On its part, Ethiopia bases its claim on the ethnic makeup of the area especially the existence of the Nyangatom people and geographical location of water and pasture resources.*

The FGDs with the Nyangatom community emphasized ingrained anger at what they see as being neglected by the state. Discussant three of an FGD mentioned:

*Even in the moments of war, the Ethiopian state leaves us behind, despite the fact that we, ethnically and culturally, are a part of this land. When Toposa or other armed parties attack there is no defence and we are left to protect ourselves. But when it comes to resources, then the government makes claim without consulting us.*



Insecurity is the order of the day in the Elemi Triangle. There have been constant cattle raids, militia attacks and weapons trading in the region, which create waves of violence that drastically affect livelihoods. In an FGD with Turkana elders, discussant five told the following story:

*We spend each grazing season in fear. Toposa warriors invade our grazing areas with guns and the reaction by our security agencies is slow and ineffective most of the times. Families are forced to escape; livestock is stolen and in some cases, communities are entirely displaced. The army might be able to come in but at this point it is too late and within a short time communities are in a state of tension.*

In the border regions, women during FGDs identified the heightened emotional, social and economic costs of the war; they reported the loss of a home, the loss of children's education, sexual and gender-based violence and food insecurity. One woman explained:

*We live in constant anxiety. We are afraid to be attacked even when children are at school; we cannot be safe in markets; we get no assistance when our houses are raided. This war influences all spheres of our life and we cannot do anything about it since decision-makers are in distant locations.*

In spite of the Kenyan Defence Forces (KDF) and Rapid Deployment Units, sustainable security is minimal. One of the officers of KDF ((KI/2025/02)) in an interview said:

*The limitation of our operation is that the cross-border incursions cannot be solved through unilateral action. All deployments are short-term without concerted efforts with the South Sudanese and Ethiopian authorities. Security cannot be achieved by going out alone, it is a collective responsibility, which is not there at the moment.*

An analyst based in Nairobi (KI/2025/06) said in an interview:

*There are weak regional mechanisms that are too political. It is known that these domains are fluctuating, but actions are usually symbolic. The needs of the community are put into the back seat to strategic and political calculations and the common people are not left behind. The diplomatic interventions especially those under the African Union (AU) and Intergovernmental Authority on Development (IGAD) have not had any tangible results.*

One of the officials of the Ministry of Foreign Affairs (KI/2025/08) confessed in an interview:

*"The majority of resolutions are based on principles. They focus on dialogue, acknowledgement of the borders or joint commissions, yet there is a lack of enforceability. At the point of confrontation, political issues and national interests prevail over local population obligations."*

Likewise, KI/2025/05 from IGAD commented:

*Ethiopia has an ambiguous position. It does not take a completely pro-South Sudan position or insist on its own. This grey area retains strategic interests, especially water access and pastoralist paths, but does not make any formal obligation that may spark conflict or potential scrutiny by regional intermediaries.*

Discussing the option of the International Court of Justice (ICJ) arbitration, both the Kenyan and South Sudan officials say they are not eager to do that, as it is likely to pose a threat to their national leverage. One Kenyan diplomat (KI/2025/10) said in an interview:

*No one among the parties would wish to have a decision that would put strategic benefits at risk. Legal solutions are not feasible but are politically unacceptable. They might also limit manoeuvrability where security, resources and influence are closely linked.*

The Elemi Triangle conflict shows the clash of historical resentments, ethnic relations and national strategic interests. The evidence presented by the local populations includes continued insecurity, laxity and economic destabilisation and this is an indicator of the disconnection between the national-level diplomacy and the situation on the ground. To resolve, strong cross-border security coordination will be needed, inclusive dialogue will need to be sustained over time and demarcation processes need to be supported by law. It is only through the combination of historical, social and political aspects that sustainable peace and stability can be achieved, whereby the voices of the communities that are affected are at the centre of the negotiation process.

### *The Migingo Island Controversy and Destabilization of Regional Econometrics*

Migingo Island is a small yet strategically located rocky outcrop in Lake Victoria that has served as a thorn in the flesh between Kenya and Uganda. Although it is a tiny landmass of less than two hectares, the Island has become a nexus of fisheries, security and diplomacy in the region, exemplifying how the influence of micro-territories can have a disproportional influence on the economy of a region and interstate relations. The Island is located in waters that have an abundance of Nile perch fish species that is the economic lifeblood of communities around the lake basin. The issue of control over Migingo has not been a matter of sovereignty over territory, but has, over the decades, been closely intertwined with livelihood security, transnational trade and governance over the most profitable fishing ground on the lake. The conflict is an example of how unresolved colonial histories can be crossed with modern economic demands and form a cycle of social tensions and complicated diplomatic issues (Juma, 2016).

The historical context of the Migingo conflict demonstrates a more general tendency of colonial administrative domination in East Africa. Lake Victoria was conceptualized in a very different way during the time of British rule since it was perceived as a single hydrological unit to be used at the empire-wide level as opposed to a cascade of well-delimited national borders (Okumu, 2010). The small islands, such as the Migingo, were literally left out of any boundary treaties and it was left to the various post-independence governments to bargain over the possession of territories which were legally vague. An interview by a historian (KI/2025/03) at Makerere University noted:

*It was perceived that the lake was a unit of water of the subjects of the Empire, not divided into national spaces. This exclusion has plagued the region over decades with communities being caught up over competing claims having little to do.*

The ambiguity about this history still dictates the sense of legitimacy and entitlement. Depending on the Kenyan fishing communities, decades of customary use create a de facto claim of ownership based on lived experience and not on treaties. On the other hand, the Ugandan officials claim formal sovereignty over the Island, which is supported by historical maps and the claim to regulatory power. The conflict between customary use and the legal claims that are recognized by the state creates repetitive tension, which proves that the omissions of the colonial epoch have a lasting effect on modern resource management. The human aspect of the conflict is also seen in the most striking form in the stories of fishermen working in the disputed waters. The field interviews in Mbita and Muhuru Bay demonstrate the psychological, economic and social impacts of the insecurity on the lake. One Kenyan fisherman (KI/2025/11) in an interview described it in the following way:

*We have been using this Island since years when Uganda has not even started to show interest. Today, we are harassed, taxed and at times even victimised as criminals. It is as though our forty years of customary use are nothing.*

Another fisherman (KI/2025/15) added: “The soldiers of Uganda arrive with guns and they charge fees. Otherwise, you will go under arrest or your boat will be seized. Now making fishing excursions is impossible, without fearing to meet with a fight.”

Such descriptions bring out the disparity that exists between formal sovereignty and material resource presence. Fishermen negotiate every day between the need to make a living and the threat of being caught or arrested. Besides the relatively short-term economic costs, this flow causes social pressure on a long-term level, shatters the credibility of the state structures and causes the waves of informal law application and local anger. The critical escalation occurred in the early 2000s as the Ugandan security personnel were deployed to Migingo and the conflict could now be considered internationally relevant. The local fishermen still remember these years as the period of trauma and disintegration. In one FGD that was conducted in Nyandiwa, the respondents explained thus: “Some of our people were beaten, boats were taken and families starved, as fish could not be carried home. It was no work, but day by day in the lake, it was either survival or death.”

These testimonies assist in the realisation of how disastrous the socioeconomic consequences of the conflicts over the territories are on the lives of the communities that are tightly connected to access to resources. The seizure of the boats and arbitrary charges on the fisheries of the lake disrupt the supply chain of the fisheries, reduce the household income, limit food security and cause psychological pressure. These are not only the local impacts on the directly affected communities since the reduction in the catch quantities will result in impacts in the regional markets, prices and livelihoods across the Lake Victoria basin. The economic position of the Island adds a certain interest to the conflict. Migingo is a location which serves as a hub where fishermen will find refuge, supplies and sell their harvest. The strategic importance of the Island can be emphasised as observed in the interview by a county fisheries officer (KI/2025/21) in Homa Bay:

*Migingo is a floating market. Whoever possesses it possesses a large share of the fish economy of Lake Victoria. Not only is the Island itself under control, but the fishery patterns, the gathering of revenues and the access to the most lucrative waters of the lake are also affected.*

This statement shows that the control of Migingo is not a mere formality. Nevertheless, it directly impacts wealth distribution, policymaking of fishing and power bargaining among the opposing stakeholders. Whoever claims control of the Island can successfully control such access to the resources of the lake, regulate the number of catches, impose taxes and affect the cross-border trade. Therefore, the quarrels over Migingo are more about the management of resources than the national pride and territorial sovereignty. There have been unsuccessful attempts to resolve the dispute through diplomacy. In 2009, Kenya and Uganda embarked on a joint survey to determine ownership; however, differences regarding reference maps and methodology halted the process. One Kenyan government official (KI/2025/08) participating in the exercise remembered in an interview:

*We differed as to the coordinates and the maps. Uganda demanded to use old colonial map whereas Kenya demanded recent satellite imagery. This conflict postponed any official resolution and each of the parties was still trying to make claims on the territory.*

These controversies indicate the perennial presence of colonial cartography in contemporary conflicts. They also depict the technical, legal and political challenges of balancing documents of the past with the present, where informal practice and economic interests make the simple exercise of sovereignty problematic. Without the resolution, the tensions on the ground are still high. Local leaders interviewed indicate that Kenyan fishermen continue to be arrested and detained by the Ugandan government, which usually elicits political and diplomatic reproaches. One of the local MCAs in Suba South complained in an interview: “We are tired of rhetoric. Protection of our people should be provided and not press releases. Fishermen are arrested or harassed every week, but our governments appear to do nothing about it permanently.”

This mood describes the lack of connection between the high-level diplomatic negotiations and the reality of the lives of the communities that rely on the disputed resources. Whereas state actors indulge in symbolic posturing or formal mediation, the ordinary citizens suffer the practical expense of unresolved conflicts and this is a significant governance gap. The regional/continental blocs, such as the East African Community (EAC) and the African Union (AU), have tried to intervene and promote the idea of sharing resources and peaceful talks. These efforts are, however, usually met with skepticism, particularly by locals. This lack of connection was shown in an FGD with youth in Sindo Beach: “We don’t see the AU or EAC here. They talk to us in Kampala or Nairobi hotels and we are the ones who are miserable on the lake. Their speech fills not our nets or covers our boats.”

The testimonies emphasize the need to place the regional diplomacy in the lived experiences of the affected communities. In the absence of mechanisms that could guarantee that the local voices are able to influence the policy, interventions would be viewed as abstract, irrelevant, or unrelated to the immediate needs. Other analysts and community leaders suggest a joint administration system to Migingo, whereby there is harmonized fishing, integrated security and co-management of revenues. Though conceptually attractive, practical implementation has many challenges. According to an interview with a senior border security official (KI/2025/17): “The political will and trust are needed in joint administration. The level of suspicion is excessive now. Any collective action will be sabotaged by the action of individual authority or local bitterness.”

This observation indicates the long-standing mistrust among the state actors, how the political calculus, historical resentment and the realities on the ground collide to form the governance problems. Unless confidence-building strategies are applied consciously and by the management of the institutions themselves, the shared management is likely to contribute to the heightening of tensions instead of their elimination. The case of the Migingo Island shows how history, as well as economic needs and institutional constraints, interact in a rather complicated way. Qualitative information given by the communities that were affected demonstrates that the fear, economic destabilisation and sense of abandonment have remained and that the decision on the issue should not be limited to the legal judgment but also the voices of the locals, their livelihoods and international cooperation. This approach will necessitate having a multi-layered approach, which integrates legal clarity, diplomatic negotiation and participatory and inclusive mechanisms that will allow communities directly dependent on the resources of the Island to come up with sustainable peace.

#### *The Kenya-Somalia Border Dispute: The Maritime Insecurity and Geopolitical Threats*

The Kenya-Somali maritime conflict is based around a 100,000-square-kilometre stretch of the Indian Ocean. Besides the problem of the sovereignty of the territories, the conflict is also connected with the potential greatness of oil and gas reserves, the fisheries rights and the control of the strategy of the maritime routes. The long-standing conflict has engendered a state of fear which has interfered with regional economic planning and made security operations along the coastline more difficult. The coastal people mainly suffer from this situation, especially the fishermen whose income is directly linked to the Indian Ocean. An interview with a community elder (KI/2025/30) in Lamu illustrated this extensive fear:

*Here we feel the heat of a battle which is not ours. Fishermen are not daring to go further. Their people are remaining on shore even when patrols are rumoured. There are starving children since the sea, which sustains us, has turned into a fear and a political issue.*

This testimony highlights the fact that high-level geopolitical conflicts can result in direct and practical impacts on local economies, social stability and the welfare of the community. Although the maritime boundary is more of an issue of international law and sovereignty, to the people living along the coast of Kenya, the dispute comes in the form of loss of fishing ground, high chances of being arrested or engaging in a sea war and the general feeling of marginality.

The root cause of the conflict lies in a fundamental disagreement regarding the delimitation of boundaries. Kenya claims that the border should run eastwards along the line of latitude, citing a 1979 presidential proclamation and historical administrative arrangements. Somalia, on the other hand, proposes a south-eastern course, with the principle of equidistance, that Kenya is interfering with Somali waters. In an interview in Mogadishu, an official of Somalia's Foreign Affairs (KI/2025/23) stressed the historical and legal basis of Somalia's position:

*We did not agree on the opinion of Kenya. The sea belonged to them not initially. Our historical maps are understandable. Any explanation which does not take into account centuries of Somali maritime rights would pose a danger to our sovereignty.*

The divergence is not only due to the interpretation of the law in different national interests but also a consequence of the priorities of various countries. The maritime control in the case of Somalia is vital in the dual aspects of asserting sovereignty and in the economy of a country that is yet on its feet after years of war. The maritime zone in the case of Kenya is an extension of the national resources and economic security, particularly in the exploitation of the offshore oil and gas. These opposing interests render the nature of the environment as highly competitive, where one cannot simply succumb without the perception that he or she is being robbed of his/her right to existence in his/her respective country.

The judgment of the International Court of Justice (ICJ) in 2021, which mostly ruled in favour of Somalia by establishing the demarcation line in a new and modified equidistance line, increased tension. Kenya challenged the decision, raising concerns of loss of resources, national interest and concerns of jurisdiction. The political sides of the rejection were also revealed in the interviews with Kenyan legal scholars, one of whom works at the University of Nairobi: A court had cheated Kenya, which it had often supported. This outcome was not right, but kingship. It rejected the matter on the territorial claims, but also years of strategic planning of how to tap into its resources. It forced policymakers to take into consideration the fact that national interests cannot be secured by legal frameworks alone. Locally, the decision caused instant panic among the people living on the coast who rely on the maritime resources. This was the worry of a participant in an FGD in Kilifi: "We already lack economic opportunities. Now our waters are gone too? Our lives are becoming smaller as the politicians debate in offices outside the sea. We are forced to live with fear and uncertainty."

These views demonstrate the lack of touch with the local socio-economic reality of international adjudication. To communities in which their lives are linked to the right to fish, to oil concessions, as well as to safe navigation, the maritime dispute is not perceived as abstract law but as an actual threat and interference. Local fisheries are not the only economic impact of the dispute. Before the ICJ decision, Kenya had given international oil companies exploration licenses, investing millions and developing infrastructure. In an interview, a Nairobi petroleum senior official (KI/2025/33) stated:

*Millions of dollars invested, we had contracts. The decision put all of this in a state of uncertainty. The reluctance by investors is due to the fact that the risk of sovereignty is converted into financial risk. It causes delays in projects, increases the cost of the project and derails national development plans.*

In the case of Somalia, though the decision declared maritime sovereignty and economic benefits were possible, the actual benefits would only be realized when infrastructure is developed and security is stabilized, as well as the capacity of institutions. A Somali youth activist (KI/2025/19) of Kismayo summed up the tension in an interview: "The sea is now our possession, yes--but can we take care of it? Can we develop it? The state of al-Shabaab, pirates and absence of infrastructure make it difficult to turn legal wins into tangible economic gains."

The maritime dispute is closely connected to security concerns. The absence of a clear boundary of waters has resulted in a grey zone where non-state actors, such as the militant group Al-Shabaab, take advantage of the situation to spread insecurity. In Kenya, the inhabitants of the counties of the coast, like Garissa and Mandera,

stated that they feared attacks and invasions of the coast. In an interview, one of the residents(KI/2025/16) said: “We are targets whenever there is a clash between Kenya and Somalia. Al-Shabaab takes advantage of that confusion to get in. We are caught up in national wrangles and dangers that we have no control over. “This case shows that boundary disputes that are not resolved increase vulnerabilities, which hinder counterterrorism efforts, maritime patrols and collaborative security programs.

According to the IGAD security experts, Kenya and Somalia have no coordinated structures in place to curb illegal fishing, piracy and terrorism, making the conflict have wider regional ramifications. Nevertheless, diplomatic processes are still in place. The African Union and IGAD have provided forums where they can negotiate and bilateral discussions have been rejuvenated in 2023, but with little success. A mediator of the AU (KI/2025/07) interviewed in Addis Ababa shared his thoughts on the main challenge: “Mistrust is the greatest challenge. They both have to win, yet regional peace needs compromising. In the absence of confidence-building and well-established legal procedures, talks are weak”. Some analysts also suggest a shared resource-based approach as a viable way to ease the tensions and establish economic cooperation. This type of structure may include a common control of offshore resources, an integrated security patrol and a revenue system. Nonetheless, the implementation would need massive trust-building, legal certainty and institutional capacity, which are scarce in the short term. The Kenya-Somalia maritime dispute shows that the issues of territory and resources are seldom limited to legal arguments. They are hidden in socio-economic facts, insecurity and grievances. Local community evidence of the widespread feeling of fear, economic disruption and marginalization created by unresolved conflicts is qualitative. Such a comprehensive strategy will also involve the use of law, diplomacy, cooperation with the region and practical work with affected communities to find a lasting solution. Until these mechanisms are put in place, the maritime zone is a constant flash point and can destabilize the peace, economic growth and social stability in the region.

### *Kenya-Tanzania Border Tensions*

Kenya and Tanzania have a 769-kilometer-long border, which has traditionally served as the trade and cultural exchange route and people-to-people contact point of deep colonial and post-independence interconnectedness (Kameri-Mbote, 2012; Msuya, 2018). Nevertheless, these historical links have at times led to a sour relationship between the two countries due to the conflict over trade policies, borders and joint natural resources. Such tensions, which have rarely led to armed conflict, have been far-reaching to local livelihood, regional economic integration and credibility of East African Community (EAC) frameworks (Mugambi, 2020). The recurring frictions depict how historical legacies, competition in the economy and governance issues come into play in transboundary situations.

In the past, the conflicts between Kenya and Tanzania were ideologically based. Kenya pursued capitalist policies during the Cold War and Tanzania followed the policy of African socialism under President Julius Nyerere with the focus on state-oriented development and sharing of resources (Nyerere, 1968; Mohan, 2016). These dissimilarities led to the failure of the initial EAC in 1977, with the structural residues of distrust and protectionism that still affect post-2000 EAC relations. Recent examples of trade policy disputes that include the seizure of Kenyan livestock by Tanzania, Kenya banning Tanzanian maize because of phytosanitary reasons, or the reverse, demonstrate the mutual nature of protectionist tendencies based on sovereignty and national interest (Njoroge, 2015). An interview with a Kenyan livestock trader at the Namanga border (KI/2025/31) said:

*When Tanzania takes our cattle, it is not just economics but it is sending a message. It interferes with our livelihoods and families are not able to recuperate. However, when we complain, the political speech fails to acknowledge the actual individuals involved.*

On the same note, one of the customs officers (KI/2025/40) in Tanzania commented during an interview: “There are also restrictions on dairy and manufactured goods in Kenya. These activities demonstrate how national policies can rapidly build up local tensions, even where regional structures are in place to avert

unilateralism.” The other major cause of friction is the shared natural resources. Boundary lakes like Lake Jipe and Lake Victoria have become a common source of friction between fishermen in the two countries, characterised by arrests and seizure of equipment and disagreements on adherence to regulations (Laban, 2017). In an FGD with Maasai fishermen on Lake Jipe, the participants pointed out the implications of such disputes at the community level:

*These are waters that we have fished for a long time. You are suddenly informed that you are not the owner of the lake. Equipment is stolen, fines are paid, and it increases tension between the communities that used to be friends.*

In addition to fisheries, the transboundary Serengeti-Maasai Mara ecosystem has also created conflicts on tourism income, anti-poaching tactics and wildlife management. The conflicting conservation policies can occasionally contribute to suspicion between the local people and the national governments, and in many cases, the tourism operators may be in the middle of the conflict. Speaking during an interview, a Kenyan tour operator in Narok County, described it as follows:

*Wildlife that is not restricted by borders is seen by tourists, but without harmonization of policies. We are sometimes blamed for what happens in Tanzania, and the Tanzanian guides are blamed for what happens in Kenya. Coordination is necessary and mostly missing.*

Closures and restrictions on the movement of the borders are further tension-inducers. In 2017, the Namanga border was temporarily closed in Tanzania due to a dispute over the inspection standards of vehicles and this impacted trade and movement (Katunguka, 2019). In the COVID-19 pandemic, Kenya implemented several restrictions on movement, which were responded to by Tanzanian restrictions. These unilateral interventions have a disproportionate impact on borderland communities, especially pastoralist communities like the Maasai and Kuria, whose livelihoods, grazing patterns and family structures cut across the two nations. As per FGD, an elder of the Kuria people, it is noticed that:

*The artificial boundaries are dividing our families. When one country closes the crossing, it means that our livestock have no grazing fields, there are closed markets and children cannot be in school in their village. Such policies do not even come anywhere near our reality.*

Such tensions are indirect. At the economic level, trade movement and increased tariffs are devastating business confidence and deterring agricultural, tourist and manufacturing investments (Mugambi, 2020; Laban, 2017). Socially, pastoralist societies are prone to intermittent disputes on grazing grounds and water sources, which strengthen local war cycles. On a political front, frequent conflicts between states erode the quality of regional governance structures such as the EAC and the plausibility of the East African integration process (Msuya, 2018). Such relations highlight the challenges in converting supranational policies into local benefits that can be realized when the historical legacies, domestic interests and local realities are in conflict.

Nonetheless, a number of mechanisms have been applied to handle and solve conflicts. Presidential summit, bilateral ministerial committees have helped in dialogue and partial de-escalation (Kameri-Mbote, 2012). The legal solutions of cross-border conflicts are offered by regional institutions, including the East African Court of Justice (EACJ) and the local elders and the peace committees can mediate grassroots conflicts through community-based conflict resolution mechanisms (CBCRM). In Narok, in an interview, a CBCRM mediator (KI/2025/39) said:

*We are here to fill the gap that cannot be filled by the national governments. We help negotiate the Maasai and Kuria herders so that they do not overgrazing rights but in case of any conflict, we mediate before it gets to the border police.*

In order to manage the Kenya-Tanzania border in a sustainable manner, it is important to align the trade and conservation policy, reinforce the joint resource management structures and increase the confidence-building strategies at both national and local levels. According to an interview with a Tanzanian border official:

*We have a common past, a common culture and common resources. The border ought to be a bridge and not a barrier. Trust and coordination will enable the two countries to gain and lead by example to other countries in the region.*

The Kenya-Tanzania border shows that the historical legacies, economic competition and governance gaps are in the intersection that creates the repetitive tensions that impact the local communities and regional integration processes. Although trade, resources and movement of people across the borders are some of the issues that create tension, bilateral, regional and communal institutions present avenues through which conflicts can be solved. The political will, harmonized policies and involvement of local stakeholders will be required in order to resolve it effectively. Provided these conditions are fulfilled, the common border can develop into a fault line of tension into an economic opportunity, social cohesion and regional prosperity (Kameri-Mbote, 2012; Msuya, 2018; Mugambi, 2020).

## Conclusion

This paper shows that the territorial issues of Kenya, namely the Elemi Triangle, the Migingo Island, the Kenya Somalia maritime boundary and the Kenya Tanzania border, are the legacies of the past, ambiguity of boundaries during the colonial period, competition for resources and geopolitics. The current claims are still influenced by colonial treaties and demarcations, which is why these disputes keep recurring, directly answering the first research question. The unresolved disputes have serious security and socio-economic implications for the people on the border. The tangible effects of livelihoods, trade and local stability in response to the second research question are seen in recurrent cattle raids and displacement in the Elemi Triangle, restrictions on fishing in the Migingo Island and uncertainty around maritime resources with Somalia and trade disruptions along the Kenya-Tanzania border.

The institutional and diplomatic efforts of Kenya have borne mixed results. The bilateral negotiations, EAC and the mechanisms of the AU, as well as the interventions of the ICJ, offer valuable platforms on which conflicts can be managed, but in most cases, these are limited by mistrust, lack of coordination and conflicting national interests. These findings indicate that diplomacy, legal clarification, security collaboration and community integration are likely to produce sustainable solutions and this provides an answer to the third research question. The risks associated with diplomatic failure and escalation ought to be mitigated by active diplomatic channels at the bilateral and multilateral level, and in building strong regional organisations, working legal frameworks and local-level activity in order to support life and work and promote collaboration. The successful management of conflicts could positively change the regions affected by conflicts and make them suitable for long-term regional integration of the area, good governance, and sustainable economic development. The territorial disputes and cross-border issues of Kenya are challenging but not impossible to be solved. Conflicts through strategic intervention can be turned into places for regional stability and cooperation between the countries, thus, turning the disputes into the collaboration frameworks.



## Recommendations

In order to minimize inter-territorial conflicts and border tensions, including the Elemi Triangle dispute and the Kenya-Somalia maritime dispute, the Kenya-Tanzania and Kenya-Ethiopia border dispute and the crisis over the Migingo Island, the following recommendations are suggested:

**Enhance Bi-Lateral and Multilateral Diplomacy:** Kenya and its neighbours (South Sudan, Uganda, Somalia, Tanzania and Ethiopia) must formalize structured and regularized discussions to help them overcome historical grievances, demystify their territorial claims and pre-empt future conflicts. Priorities should be put to build confidence and use joint commissions to manage the borders to build trust and minimize the chances of escalation.

**Improve Cross-Border Security and Resource Management:** Kenya and other countries in the region need to have coordinated patrols, intelligence-sharing systems and joint surveillance in the disputed borders. Meanwhile, the negotiated resource-sharing plans in the disputable areas, such as the Migingo Island, grazing grounds and fishing grounds, ought to be negotiated in such a way that they offer equal accessibility and reduce the conflicts at the local level.

**Use Regional and International Mechanisms:** East African Community (EAC), IGAD and African Union Border Programme (AUBP) will be applied to provide arbitration, technical demarcation, as well as conflict prevention. These institutions can align policies, ratify previous treaties and hold inclusive and consultative consultations with the community in the targeted borders with the view of finding sustainable and legally endorsed solutions.

**Promotion of Community Partnership and Community Awareness:** It is proposed that local governments, civil societies and institutions of higher learning can aid the grassroots peacebuilding activities, mass education and community-based discussions. These programs should focus on encouraging transnational cooperation, securing livelihoods and creating awareness among the citizens about the previous and current land-related disputes.

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