

Dynamics of maritime border dispute influencing bilateral relations between Kenya and Somalia

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<https://doi.org/10.51867/ajernet.6.3.66>

ABSTRACT

The Somalia-Kenya relation is imminent and existed before for many years. Since 1963, the Kenyan-Somali irredentism factor has been a constant threat to Kenya's sovereignty, political stability and foreign policy. Kenya and Somalia have maintained a long-standing partnership in the fields of diplomacy, politics, and commerce. Nevertheless, their maritime diplomacy has become more contentious as a result of a multifaceted combination of geopolitical factors. The two neighbouring countries in East Africa are currently involved in a dispute over a maritime border in the Indian Ocean, an area that is rumoured to contain substantial oil and gas reserves. The study was anchored on the theory of geopolitics. This study used a descriptive research design. The target population for the study included fishermen, oil and gas traders, diplomats, officials from the Ministry of Interior and National Government Coordination, security personnel, the Kenya Coast Guard, opinion leaders, legal experts, lawmakers, local administration officials, and officials from the Ras Kamboni Brigade. The total study population was 14166, from which a sample size of 384 was drawn based on Fisher's formula. The study utilised simple random sampling, purposive and stratified sampling techniques to select participants. Primary data was collected using questionnaires, focus group discussions and key informant interviews. The study also utilised secondary data. Quantitative data was analysed using SPSS version 25 and presented in the form of frequencies and percentages through tables and graphs. Qualitative data was analysed using thematic techniques and presented as narrative reports and verbatim quotations. The main findings of the study revealed that the contested Indian Ocean area provides a source of income and livelihood for fishermen and is believed to have vast oil and gas deposits, which explains the global attention it has attracted. The study concluded that the maritime border dispute between Kenya and Somalia is deeply influenced by a complex web of regional dynamics, international mediation, and great power interests. The study recommends that it is crucial to conduct comprehensive and unbiased assessments of the historical, cultural, and economic factors that contribute to the dispute.

Key Words: Disputes, Geo-Politics, Inter-State Relations, Kenya-Somali Border, Maritime

I. INTRODUCTION

Interstate relations, a fundamental aspect of international relations, encompass the examination of the interconnections between politics, economy, and law at a worldwide scale. Depending on the specific academic institution, international studies can be considered a subfield of political science, an interdisciplinary field similar to global studies, or a distinct academic discipline in its own right. In international studies, students typically take a range of courses that focus on various aspects of global affairs, drawing from social science and humanities disciplines (Thio, 2008).

The United Nations Convention on the Law of the Sea (UNCLOS) is a significant legal advancement for settling disputes. However, it does not offer explicit guidelines for resolving conflicting claims. Although UNCLOS mandates cooperation in cases where a deposit extends across a boundary, it does not prescribe a particular resolution, so allowing the involved parties to determine the outcome. The treaty simply states that the allocation of the seabed shall be fair and just (Leitner, 1997). States frequently employ the median line strategy in practice, which involves drawing a line equidistant from the two disputing countries. This method is preferred because it offers a direct and uncomplicated means of resolving conflicts. The strategy is likewise preferred by international courts.

In the 21st century, China has resolved most of its land border issues, but it still has numerous unresolved territorial and boundary disputes in its maritime frontier, which includes the Yellow Sea, East China Sea, and the South China Sea (Taylor, 2008). These conflicts pertain to crucially important areas of the sea and airspace, and involve countries that have signed treaties with the United States, such as Japan, the Philippines, and South Korea. China's increasing naval power and desire to exert more control over its nearby sea region raises concerns about how China will

manage local incidents and foreign challenges related to these disputes. This raises the crucial question of whether China's rise will bring peace or instability to the region (Taylor, 2015).

The Horn of Africa region, which is one of the areas of conflict in Africa, is distinctive because it is surrounded by three enormous bodies of water in a triangular shape: the Nile River to the west, the Red Sea to the north, and the Indian Ocean to the east. The geopolitical fortunes of the cluster are determined by two forces: external and internal. The Red Sea and the Indian Ocean serve as the maritime boundaries (Tewolde, 2024). Due to its strategic significance, the cluster attracts the attention of extra-continental powers, primarily because it has a potential combined market population of over 280 million people. Partly due to its landward orientation, the entity appeared unprepared for the attention it received, as it failed to consider potential dangers from the water. As a result, it did not invest in effective naval forces, leaving it vulnerable to attacks by enemies with formidable warships (Lombardi, 2016).

Vreÿ (2013) argues that these issues were neglected or disregarded during a period when there were other more pressing concerns regarding land borders. The recognition of the marine domain as a significant entity, also known as sea blindness, was a gradual process that took a considerable amount of time. Maritime boundary disputes, some of which have been inactive for a long time, are being worsened by a rising interest in the exploration and use of natural resources. Currently, there are significant border disputes between Cote d'Ivoire and Ghana, as well as between Kenya and Somalia.

In 1991, the government of Somalia experienced a collapse, leading to the outbreak of the Somali civil war. As a result of the absence of an effective central authority, the people of Somalia turned to local methods of resolving conflicts, such as civil laws, religious laws, and customary laws (Ikome, 2012). The diplomatic relations between Somalia and Kenya have been ongoing and established prior to 2008. In 2009, both countries attempted to formalize their boundary by signing a memorandum of understanding, which stated that the boundary would follow an eastward line of latitude. However, Somalia, which has been without a functional government since 1991, later rejected this agreement in parliament. Somalia has indicated its intention to raise the issue with the United Nations, as it has deemed four of the blocks given in the deep waters to be invalid. The party expressed apprehension regarding the leasing of these blocks and planned to file grievances at the maritime boundary between Kenya and Somalia in the western region of the Indian Ocean. The diplomatic ties between Kenya and Somalia are deteriorating; Somalia shares a border with Kenya to the Northeast and possesses the longest coastline in Africa.

Since 1963, the issue of Kenyan-Somali irredentism has been a persistent challenge to Kenya's sovereignty, political stability, and foreign policy (Mahad, 2015). Indeed, the maritime dispute might be interpreted as a deliberate tactic employed by Somalia to consolidate and construct 'The Greater Somalia'. Irredentism highlights Kenya's susceptibility to internal and external meddling, as discussed by Barry Buzan (Buzan, 1984). This battle has deep historical roots and spans across multiple generations. Some Kenyan-Somalis continue to endorse the Somali irredentism movement because they believe it addresses past grievances (Oduor, 2011). The factors contributing to the marginalization of the North Eastern region include: the perception of alienation and marginalization, the implementation of the Shifta counter-insurgency strategy in the 1960s, the use of collective punishment and policing to establish Kenyan lineage for Kenyan-Somalis in the 1980s and 90s, the support of patronage networks and clan supremacy of the Ogadens during the Moi era, counterterrorism extra-judicial killings, and the crackdown on refugees (Awuor, 2003).

The indigenous Bajuni population in Lamu is concerned about the potential loss of their fishing grounds due to the ongoing disagreement. Curiously, from their perspective, it is mostly a problem specific to Kenya and they believe that Kenya should suffer the consequences. Many inhabitants and local leaders in Kenya feel disconnected from the country's national identity. They believe that it is necessary for Kenya to learn a lesson because the needs and concerns of the Lamu people have been consistently overlooked for a long time (Lewis, 2000). The split loyalty arises from the robust religious and trade connections, as well as ancestral heritage, that the people of Lamu share with the inhabitants of the Ras Kamboni region in Somalia. The coastal region has proven to be a highly conducive environment for the process of radicalization and the recruitment of individuals into terrorist activities.

1.1 Statement of the Problem

The relationship between states is a significant symbol of international relations, as it represents the high level of responsibility that is intended to enhance the cooperation between states (Griffiths, *et al.*, 2008). Maritime border disputes have frequently arisen on a global scale. Maritime disputes between China and Vietnam, China and the Philippines, and the United Kingdom and Argentina over Antarctica are just a few examples.

Kenya and Somalia have maintained a long-standing partnership in the fields of diplomacy, politics, and commerce (Osthagen, 2020). Nevertheless, their maritime diplomacy has become more contentious as a result of a multifaceted combination of geopolitical factors. The two neighbouring countries in East Africa are currently involved in a dispute over a maritime border in the Indian Ocean, an area that is rumoured to contain substantial oil and gas reserves (Mudoola, 2021). This disagreement has escalated into a significant diplomatic and legal conflict, with both

nations presenting their respective cases to the International Court of Justice (ICJ). It is essential to comprehend the geopolitical forces that are at play in order to comprehend the more extensive implications of this conflict.

Studies have shown maritime disputes are a common occurrence on many parts of the world as witnessed South China Sea dispute espoused by Koo (2009). Such competitions have led to protracted conflicts within the east African region just like other parts of Africa (Cooksey, 2016), thereby making conflict management an uphill task for neighboring states (Deng & Zartman, 2011). In this regard Competing territorial claims, historical grievances, economic interests, and regional power dynamics further complicate the maritime dispute, resulting in heightened security concerns and strained diplomatic relations. Efforts at territorial cooperation are impeded and the overall situation is exacerbated as both nations assert their sovereignty over the contested maritime areas (Gilblom, 2012). The present research examines the geo-political factors that influence maritime diplomacy between Kenya and Somalia, with a particular emphasis on the degree to which these dynamics influence the strategies and policies of each nation in their pursuit of maritime sovereignty and resource control. This study endeavours to elucidate the broader geopolitical struggles in the Horn of Africa and the underlying factors that have contributed to the ongoing maritime boundary dispute, despite attempts at diplomatic and mediation.

1.2 Research Objective

The objective of this study was to examine the dynamics of Maritime Disputes influencing Bilateral Relations on between the Kenya and Somalia

II. LITERATURE REVIEW

2.1 Theoretical Review

The study was guided by a theoretical framework anchored on the geo-political theory.

2.1.1 Geo-Political Theory

Geopolitics is an academic discipline that analyses the impact of geography, resources, and power dynamics on global relations and wars (Gray, 2007). Geopolitics is the study of how countries view and defend their territorial rights, taking into account factors such as history, economics, and strategic concerns (Dodds, 2014). The maritime border dispute between Kenya and Somalia centres around competing claims over areas that are potentially abundant in natural resources. This issue has significant implications for the diplomatic relations between the two nations.

Geopolitics frequently centres on the acquisition and management of important natural resources, such as oil, gas, fisheries, and minerals, which are plentiful in marine regions. These resources can have substantial economic consequences, impacting a nation's energy security and economic progress (Sabala, 2021). Geopolitical theories analyse the impact of a region's geographic location on its strategic significance. The exercise of authority over marine regions can have significant implications for sea trade routes, naval activities, and regional security, thus influencing the distribution of power. Geopolitical concerns encompass the analysis of how conflicts over maritime borders can impact a nation's security and defense strategy. The ability of a country to safeguard its interests and uphold its sovereignty might be impacted by its access to particular marine regions (Campling & Colás, 2018).

Geo-politics examines the impact of international players and alliances on maritime border conflicts. Foreign nations, global institutions, or local groups could potentially contribute to resolving or intensifying the conflict (Haftel, 2012). The theory also examines the ways in which economic interdependence between states can influence their diplomatic engagements. Countries may be motivated to seek peaceful resolutions to disputes due to their shared economic interests and trading links. Geopolitics frequently considers historical context, as previous conflicts and accords can influence the present geopolitical situation (Dodds, 2014).

The diplomatic method to resolving conflicts might be influenced by historical grievances or agreements pertaining to maritime borders. Geopolitics acknowledges that the public's emotions and the sense of national belonging can impact a country's position on territorial conflicts. Political leaders may adopt stances that are in line with popular opinion in order to preserve domestic backing (Kelman, 2011). Geopolitical theory can be applied to analyse the intricate dynamics and understand the motives and strategies of Kenya and Somalia in their maritime border conflict.

Nevertheless, in the analysis of geopolitical factors that impact maritime diplomacy between Kenya and Somalia, the theory of geopolitics, while providing valuable insights into state and territorial interactions, exhibits certain limitations that necessitate the incorporation of a developing diplomatic theory. Geopolitics often exhibits a strong focus on nation-states, prioritizing their activities and interests. Nevertheless, within the framework of maritime diplomacy between Kenya and Somalia, non-state players, such as pirate gangs and local militias, exert substantial influence. Their impact is substantial due to their non-state actor status. Given that these actors transcend the conventional territorial limits of nations, a more inclusive diplomatic framework is necessary to fully grasp their influence on marine matters.

Furthermore, geo-political analyses often depend on fixed evaluations of geographical characteristics and national interests, failing to consider the ever-changing nature of maritime diplomacy. The formulation of a novel diplomatic theory has the potential to offer increased adaptability in examining the changing dynamics of power, alliances, and emerging matters. This will provide a more sophisticated comprehension of the inherent difficulties in the maritime relations between Kenya and Somalia. Moreover, geopolitics often disregards the cultural and historical elements that influence the establishment of diplomatic relations between nations. To ensure the development of efficient diplomatic measures, it is crucial to consider the historical grievances, ethnic connections, and cultural disparities between Kenya and Somalia. This concept could be integrated within the context of an evolving theory of diplomacy.

In addition, geopolitical theories often overlook the influence of soft power in shaping diplomatic relationships, focusing exclusively on the dynamics of the military and the economy. Maritime diplomacy prioritizes nonviolent means of influence, such as public diplomacy and cultural diplomacy, rather than relying on force. The emergence of new diplomatic theories has the potential to offer valuable insights into these elements, therefore enhancing the analysis of maritime ties between Kenya and Somalia.

Geopolitical assessments often overlook the importance of multilateralism in maritime diplomacy and instead focus on bilateral interactions between governments. Regional organizations like the African Union and international frameworks such as the United Nations Convention on the Law of the Sea (UNCLOS) have important responsibilities in promoting marine cooperation and resolving problems. Therefore, by integrating insights from an emerging diplomatic theory, it is possible to gain a more thorough comprehension of the geopolitical elements that impact maritime diplomacy between Kenya and Somalia.

2.2 Empirical Review

Chien-peng Chung conducted a previous study that specifically examines the involvement of domestic pressure organizations in territorial disputes involving China and Taiwan, China and the Soviet Union, and China and India (Chung, 2004). Chung argues that the result of a negotiation can be greatly influenced by the alignment between the parties involved in the dispute and their respective home audiences in terms of resolving the problem. Chung (2004) argues that when there is a significant divergence in preferences and priorities between state governments and influential sectors of society, it becomes exceedingly difficult for government leaders or negotiators to achieve a compromise. Furthermore, the management of maritime incidents and difficulties in China has become significantly more complex due to the increasing diversification and decentralization of the Chinese political system, which has involved several domestic stakeholders in the Chinese foreign policy process.

To comprehend the U.S. desire to develop connections with India, it is necessary to grasp the emergence of the perception of the Indo-Pacific region as a unified entity. This perspective was recently reinforced by the official renaming of the U.S. Pacific Command to the U.S. Indo-Pacific Command (Timothy, 2014). The notion of the Indo-Pacific region as a unified and interconnected entity has only emerged in the post-Cold War era, specifically in the early 2000s, as described by Timothy Hoyt in his essay "Emerging Regional Geopolitics" (Timothy, 2014). This emergence can be attributed primarily to the remarkable expansion of Asian economic production, coupled with extensive reserves of untapped resources and labour force. Sureesh Mehta characterizes this region as "the most economically dynamic in the world... and the focal point of global economic and strategic concerns" (Timothy, 2014).

The deteriorating security situation in the Cabo Delgado Province of northern Mozambique in Africa exemplifies the interconnectedness of maritime security and conflicts occurring on land. The Islamic State affiliate in Mozambique, known locally as al Shabaab, has been operational since 2017. It has its origins in deep-rooted political and economic grievances, particularly among the Mweni people who have significant influence in the coastal section of the province (da Silva, 2017). Initially, Al Shabaab directed its efforts towards targeting isolated civilians engaged in agricultural activities and establishing dominance over the main paved route that connects the northern and southern areas of the province. As the gang gained more power, it redirected its attention towards the coastline, engaging in assaults on fisherman and carrying out limited invasions on coastal communities.

The prevalence of criminal networks engaged in trafficking illicit substances, lumber, jewels, animal goods, and individuals further exacerbates the threat to human security in the Mozambique Channel. Academic studies of Al Shabaab's operations suggest that the group is unlikely to directly engage in the illicit economy. However, the outbreak of violence in Cabo Delgado has likely compelled traffickers to relocate their operations to safer areas further south (da Silva, 2017).

Norris and Bruton (2011) conducted a study to examine the impact of maritime border disputes on diplomatic relations. The aims were to evaluate the extent of the connections and the impact on diplomacy, which is the third main aspect of international relations. Scholarship in the early interwar period emerged from the peace movement and focused mainly on comprehending the origins and consequences of war, including its political, sociological, economic, and psychological aspects. The intellectual movement known as behaviourism sparked the interest of mathematicians, who

were pioneers in the field. This led to their active participation in international studies for the first time. The strained relationship between Kenya and Somalia had a social impact on the disputed area. The long-term objectives contend that maritime boundary disputes have a significant impact on diplomatic relations and offer an opportunity to achieve efficient leadership management for the purposeful and concentrated investigation.

Cardoso (2016) sought to investigate the influence of border conflicts on diplomatic relations. Even though we live in a borderless world thanks to globalization, national boundaries continue to shape how we live and who we are. As a result of security concerns, numerous nations have changed the function of borders around the globe, turning them into walls instead of bridges. To accomplish this, border infrastructure has been militarized with the goal of limiting encounters between citizens of the two countries. As part of their strategy to combat terrorism, such actions are put into motion. Many believe that security concerns are driving this change because they want to make things easier and give states more power to exclude people according to their own sovereignty. There is a vast array of topics covered by these concerns, including as terrorism, drug and human trafficking, illegal immigration, and gun smuggling.

Dodds (2014) sought to evaluate the effect of state relations on social cohesiveness by investigating the connection between border conflicts and state diplomacy. As a result of growing expenses, financial concerns, and persistent problems, the Kenyan government initiated a military involvement in Somalia in October 2011. Someone must ask, "Is this action morally defensible?" in light of Kenya's invasion of Somalia. Accurately assessing the morality and justification of intervening in a war needs a comprehensive study of several phases and difficulties according to just war theory. Three major perspectives are considered by the just war theory when analysing the moral dimensions of war: Jus ad Bellum (before the war begins), Jus in Bello (during the war itself), and Jus post-Bellum (after the war ends). When considering the ethics of intervention and just war, it is essential to recognize and comprehend these factors. Kenya and Somalia's continuous dispute has severely damaged their diplomatic relations, leading to the expulsion of ambassadors from both nations. The purpose of this research was to look into how the two countries were able to put their differences aside and work together to resolve the problems that had arisen because of an act that Kenya had started.

German (2016) contends that the partitioning of the Kenya-Somalia borderlands by European colonial powers resulted in the emergence of irredentist claims by the Somali Republic. Irredentism, as described by German Kim, refers to the endeavour of a sovereign state to annex regions inhabited by an ethnically-related people in adjacent countries. According to Horlo (2020) irredentist disputes tend to arise when boundaries are established without considering the prevailing ethnic, economic, and political structure.

III. METHODOLOGY

3.1 Research Design

This study utilized a descriptive research design. The design was used to investigate phenomena by specifically examining subjective experiences and comprehending the organization of those lived experiences among respondents.

3.2 Study Area

The study was carried out in Lamu and Mombasa from Kenya and Ras Kamboni (Badhaadhe) in Somalia.

3.3 Study Population

The Study population included Fishermen, who made up the unit of analysis for this study. The study also targeted key informants from the following categories in Kenya and Somalia: oil and gas traders, Diplomats, Officials from the Ministry of interior and National Government coordination, Security Personnel, Kenya Coast Guard, Opinion Leaders, Legal Experts, Law Makers, local administration Officials, and Officials from Ras-Kamboni Brigade.

3.4 Sample Size and Sample Techniques

3.4.1 Sampling of Fishermen

The total number of Fishermen in the area of study was 14,166 in this regard, the sample size was determined using Fisher *et al.*, (1983), as cited in Mugenda & Mugenda, (1999). Fisher's formula for sample size determination indicates that the desired sample size can be determined for a target population greater than 10,000 as follows:

$$n = \frac{z^2 pq}{d^2}$$

Where:

n=desired sample size (the target population is greater than 10,000).

z=the standard normal deviate at the confidence level of 95% is 1.96.

p=the proportion of the target population estimated to have characteristics being measured is set at 50%

q=1-p (probability of non-success)

d=level of statistical significance set at 0.05

$$n = \frac{(1.96)^2 * 0.5 * (1-0.5)}{(0.05)^2}$$

$$n = 384$$

The sample size in each of the three zones where the study was conducted was determined using stratified proportionate sampling. This method took into account the sample frame and the predetermined sample size of 384. Table 1 demonstrates the distribution of sample units within the study region.

Table 1

Proportionate Sample for Fishermen in the Study Area

Study Area	Population of Fishermen	Sample Size
Mombasa County	6000	163
Lamu County	4167	113
Badhaadhe District (Ras Kamboni)	3999	108
Total	14,166	384

In order to reach the fishermen who were part of the study, simple random sampling techniques was used to select the respondents to participate in the study. The researcher picked a random starting point within the study area and used convenience sampling to pick the respondents until he reached the desired sample size based on each strata. The process was repeated in each of the study locations until the desired sample size was reached.

3.4.2 Sampling of Key Informants and Focus Group Discussions

The study utilized purposive sampling, purposive sampling and convenience sampling to select various key informants both in Kenya and Somalia. Purposive sampling was used to select 3 officials from the Ministry of Interior both in Kenya and Somalia as follows; The county commissioner of Mombasa County, the County Commissioner for Lamu County and the District Commissioner Badhaadhe District in Somalia. Purposive sampling was used to sample three experts on maritime diplomacy from both Kenya and Somalia. One expert from the Kenyan Ministry of foreign affairs and another official from the Somalia Embassy in Kenya.

Convenience sampling and purposive sampling were used to select various security personnel interviewed in this study. The study sampled Police officers from the Maritime Police Unit. The study sampled two senior officers, one from the Kilindini detachment in Mombasa County and one from Lamu Detachment in Lamu County. The study also purposively sampled a senior police officer from Badhaadhe District. Purposive sampling was used to select ranking officer of the Kenyan Coast guard and ranking from the Kenya Navy Mombasa; purposive sampling was also used in sampling Ranking officer of the Ras Kamboni security Brigade. Convenience sampling was used 5 religious leaders from the three study locations. 2 religious leaders from Mombasa county (1 Christian and 1 Muslim), 2 religious leaders from Lamu county (1 Christian and 1 Muslim) and 1 religious leader Badhaadhe District. Purposive sampling was further used to sample 3 experts (one expert each) from Peace and Development Network Trust, Institute for Security Studies and Mercy Cops. The study further conducted three focused group discussions 30 opinion leaders 10 from each of the study locations were sampled using simple random sampling and convenience sampling. These opinion leaders included Oil and Gas Traders leaders.

3.5 Methods of Data Collection

The study used both primary and secondary data. Primary data was collected through questionnaires, Interviews and Focus Group Discussions. The study used secondary data from journal articles, published and unpublished theses, books, websites, print media and social networks.

3.6 Data Analysis and Presentation

Quantitative data was analyzed using SPSS version 25 and presented inform of frequencies and percentages through tables and graphs. Qualitative data was analyzed using thematic techniques and presented as narrative reports and verbatim quotations.

IV. FINDINGS & DISCUSSION

4.1 An Overview of Geo-Political Factors between Kenya and Somalia

The study aimed to obtain a comprehensive understanding of the geopolitical dynamics between Kenya and Somalia. Hence, throughout the process of gathering data from the inhabitants of Lamu county, particularly in the town of Lamu, a focus group discussion provided valuable insights for the study, revealing that:

Kenya has consistently asserted that a maritime border agreement has been in place since 1979 and has been advocating for a diplomatic resolution to the conflict. Nevertheless, in 2014, Somalia initiated legal proceedings against Kenya at the International Court of Justice (ICJ) following unsuccessful attempts to resolve the dispute through out-of-court settlements. Both nations have ratified the United Nations Convention on the Law of the Sea. (FGD in Lamu, 18/12/2023).

According to the FGD discussion, the study concluded that if the parties involved in the disagreement cannot come to an agreement, a third party like the ICJ is required to establish the boundaries and decide where the water borders are located. Furthermore, although the court's decisions are obligatory, it lacks the authority to implement them. The Indian Ocean contested area serves as a lucrative source of revenue and sustenance for fishermen, and is known to possess extensive reserves of oil and gas, which accounts for the significant international interest it has garnered.

According to the poll, the majority of the 310 respondents strongly agree that both countries should come to a settlement on the disputed stretch. The study revealed that in order to establish effective diplomatic relations, it is necessary for Kenya and Somalia to resolve the issue and finalize it for peaceful coexistence. The results were depicted in the figure below:

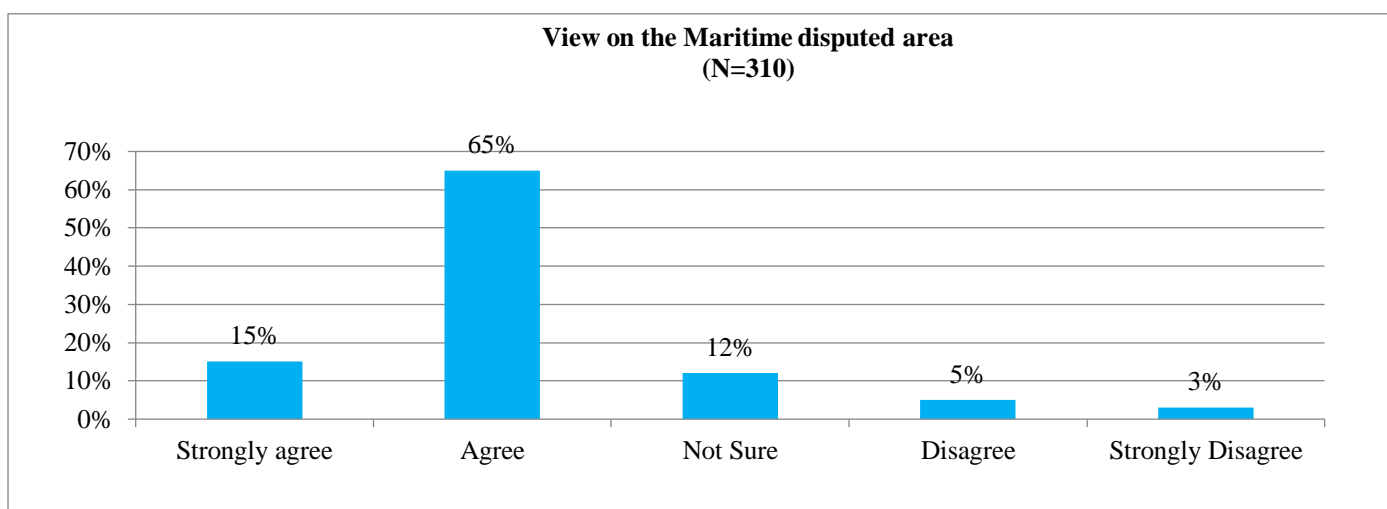


Figure 1

View on the Maritime Disputed Area

The survey results reflecting the views of respondents from both Kenya and Somalia indicate a shared desire for a consensus diplomatic solution to the maritime disputed area. With a combined 80% expressing agreement (15% strongly agree, 65% agree), it's evident that a significant majority from both countries advocate for a diplomatic resolution that fosters good international relations. This consensus suggests recognition among respondents of the importance of amicable relations between Kenya and Somalia, despite the dispute over maritime boundaries. The 12% of respondents who are unsure signify a need for more information or clarity on potential diplomatic solutions, while the 8% who disagree (5% disagree, 3% strongly disagree) might represent dissenting opinions or alternative approaches to resolving the issue. Overall, the survey results underscore a widespread sentiment among respondents from both nations favoring diplomatic dialogue and cooperation as the preferred path towards resolving the maritime dispute in a manner that promotes mutual understanding and strengthens international relations between Kenya and Somalia.

The report additionally documents that the legal case between Kenya and Somalia in the International Court of Justice (ICJ) has endured for nearly 7 years. Nairobi has accused the court of exhibiting prejudice after it declined Kenya's plea to postpone the proceedings. Kenya's recent plea to expedite the proceedings in light of the COVID-19 pandemic was rejected, and the submissions are scheduled to occur in March 2021. Kenya abstained from participating in the sessions.

While interrogating one of the respondents, from the ministry of foreign affairs in Nairobi, the study was informed that:

Kenya has decided not to participate at the Maritime Delimitation Case (Somalia v Kenya) which is currently ongoing at the International Court of Justice," (Oral Interview with a key informant from ministry of foreign affairs in Nairobi, on 18/12/2023).

This investigation discovered that the decision was made due to procedural injustice at the Court. Furthermore, the respondent emphasized that this decision was made after careful consideration and thorough discussions on the most effective measures to safeguard the sovereignty and territorial integrity of the Republic of Kenya.

According to the previous findings, the study observed that Kenya's problem with the ICJ arises from 'third party business interests' that it feels are interfering with the case. It argues that these interests could have significant

consequences for the peace and security of East Africa. The court, after receiving verbal arguments from Somalia, declared that it will issue a verdict on October 12, 2021. The investigation also revealed that Kenya had alerted the Court about the involvement of influential third-party business interests in the case, which poses a threat to the peace and security of an already vulnerable region.

Moreover, another respondent from the ministry of foreign affairs retorted that:

The expeditious manner in which the subject was presented to the Court and the individuals involved in this conflict indicated a carefully planned tactic of inciting conflict between the nations, without considering the unstable security conditions in the area. Prominent external actors are determined to use the instability in Somalia in order to further exploitative economic interests, without considering the importance of peace and security in the area (Oral Interview with a key informant from Ras Kamboni, 19/12/2023).

In December, the diplomatic dispute escalated when Somalia accused Kenya of meddling in its internal matters, an accusation that Kenya refuted. Consequently, the government of Somalia instructed Kenyan diplomats to depart from the nation within a period of seven days and summoned back its own ambassadors.

The conflict has intensified in the Horn of Africa. The Intergovernmental Authority on Development (IGAD), a regional organization comprising governments from the African Great Lakes, Horn of Africa, and Nile Valley regions, has selected Djibouti to lead a fact-finding mission to investigate the dispute between Kenya and Somalia. Both Kenya and Somalia are members of IGAD. The mission did not discover any significant evidence supporting Somalia's assertions. Somalia rejected the conclusions of the expedition, claiming that Kenya had interfered, leading to a fresh dispute between Djibouti and Somalia. Somalia had also issued a warning to withdraw from IGAD if the results were not overturned.

"These tensions have recently been suppressed." "The interpretation of the ruling by both countries has the potential to worsen an already unstable situation in the Horn of Africa," stated Dr. Lameck Kiptoo, a specialist in international relations. "The African Union and regional bodies such as IGAD should be proactive in addressing the situation before it intensifies and jeopardizes regional peace and stability."

The findings agreed with Courmont et al. (2018) who asserted, just like in East Africa, between Kenya and Somalia, Nationalistic sentiment also undoubtedly play a significant role in some of the most ferocious maritime disputes in East Asia. It is particularly sensitive in the East China Sea, but also visible in the South China Sea. For example, the rivalry between Japan and the PRC on one side, and Vietnam and the PRC on the other, are just two examples of a paradigm that can be repeated in most situations, with more or less impact on the national postures.

4.2 Factors that Emerged as the Contributors of the Disputes between Kenya and Somalia

This study revealed that, despite apprehensions regarding the ongoing stalemate between Kenya and Somalia escalating into an armed clash, both countries are unable to bear the costs and consequences of engaging in military combat due to the high stakes involved. Violent escalation presents a significant risk to regional development initiatives, including the LAPSSSET (Lamu Port-South Sudan-Ethiopia-Transport Corridor). Furthermore, should Kenya follow through with its threat and remove its forces from Somalia before the agreed-upon time, it is quite probable that al-Shabaab will exploit these vulnerabilities in security to launch additional attacks on both Nairobi and Mogadishu. Furthermore, the Kenyan economy may endure negative consequences as Somalia serves as a significant market for Kenya's exports, especially miraa. Ultimately, the stability of Somalia will be jeopardized if Kenya forcibly returns Somali refugees in response to its request to the United Nations to shut down two refugee camps (Dadaab and Kakuma) due to its insufficient capabilities to relocate them. This would worsen the already critical humanitarian and security situation in the Horn of Africa.

To justify the discovery made by this study, some respondents were interrogated by the researchers. One of the respondents, from Ras Kamboni cited that;

"While it is important to adhere to international maritime laws principles in resolving the marine territorial dispute between the two countries, which are legally enforceable only with the permission of the parties involved, it is advisable for the parties to first consider alternate methods of resolving the dispute before turning to the International Court of Justice (ICJ)." (Oral Interview with security officer in Lamu, on 28/12/2023).

Moreover, the analysis found that the zero-sum results linked to the International Court of Justice (ICJ) are not favourable in this situation. Therefore, it is necessary for Kenya and Somalia to pursue a mutually beneficial resolution through diplomatic discussions. An FGD in Lamu confirmed this observation, saying that

"We firmly hold the belief that effective borders are not merely defined by geographical boundaries, but rather by the presence of sincere political cooperation and mutual understanding. The African Union's Panel of the Wise have the ability to effectively guide the parties involved towards the bargaining table, since it maintains a neutral stance towards all parties involved." (FGD of security personnel in Lamu, on 28/12/2023).

Based on the FGD argument, this study found that negotiations can be facilitated to reach an agreement on a joint exploration arrangement for mutual interest. This can be guided by a treaty, such as the Nigeria-Sao Tome and Principe Joint Development Authority. This authority was established after the states signed a treaty to regulate their joint exploration projects in the Bight of Bonny.

Therefore, Gray (2007) in the theory of geopolitics, offers a perspective to comprehend the intricacies of the maritime conflict between Kenya and Somalia. This statement underscores the crucial significance of marine regions and the possibility for hostilities to intensify, so impacting regional stability and economic interests. Gray's theory supports the study's findings by emphasizing the dangers of armed confrontation and promoting the use of diplomatic dialogue. It underscores the importance of using alternative dispute resolution methods and win-win solutions to protect shared interests and prevent destabilization in the Horn of Africa.

Further, Østhagen, (2020) indicated that when states legalised the maritime domain in the 20th century, the relationship between states and maritime space changed. Since the turn of the millennium, certain global trends have further amplified the role of the oceans in international affairs. This has led to a renewed focus on maritime space, as well as states' rights and responsibilities within this domain, delineated through the concept of a 'boundary' at sea.

4.2.1 Resource Riches

The study was interested in recording what causes disputes between the two countries. The study interrogated various respondents on the issues and responses were recorded. A respondent from Kenya Coast guards informed this study that:

The disputed area contains potentially significant oil and natural gas reserves. He added that,

“access to these resources can be a major driver of territorial disputes as both countries seek to secure their economic interests” (Oral Interview with a local administrator from Ras Kamboni, on 29/12/2023).

Based on his argument, the study recorded that, resource riches can indeed play a significant role as a geopolitical factor in maritime border disputes and can have a substantial impact on diplomatic relations between countries. Therefore, it is forthright to note that, in the case of Kenya and Somalia, the dispute over maritime borders in the Indian Ocean is closely linked to potential resource wealth, particularly oil and natural gas reserves.

Another respondent who is a fisherman posited that, the disputed area in the Indian Ocean is believed to contain significant hydrocarbon resources. According to this respondent:

“...both Kenya and Somalia have explored and potentially lucrative offshore oil and gas reserves, which are highly coveted due to their economic value” (Oral Interview with a Mercy Cops personnel, on 29/12/2023).

This argument was reinforced by another respondent, who is a legal expert on the law of the sea from Kenya, which the root of the maritime border dispute lies in conflicting territorial claims. According to this respondent;

“Somalia argues that the maritime boundary should extend along the same line as its land border, while Kenya insists on a parallel line, which would give it a larger share of the disputed area” (Oral Interview with a gas and oil trader in Mombasa, on 18/12/2023).

Therefore, this study came to a conclusion based on the preceding argument that, the outcome of this dispute would directly affect each country's access to and control over these valuable resources.

The study further observed that, resource-rich areas can provide significant economic benefits to the countries that control them. These resources can contribute to economic growth, job creation, and increased revenue through taxes and royalties. Thus, both Kenya and Somalia have strong economic incentives to assert their claims over the disputed waters. Sovereignty and control over natural resources are matters of national pride and security. Countries often see control over resource-rich areas as vital to their sovereignty and economic stability. Disputes over these resources can become deeply ingrained in a nation's identity and foreign policy. Both Kenya and Somalia have taken the dispute to the International Court of Justice (ICJ) for resolution. This reflects their willingness to engage in diplomatic processes to address the issue, but it also underscores the high stakes involved. The ICJ's decision will have far-reaching consequences for both nations and could set a precedent for future maritime border disputes.

To affirm the observation made by the study, some respondents were interrogated by the study. A respondent from Institute for Security Studies informed this study that:

“The dispute has strained diplomatic relations between Kenya and Somalia. Accusations and counter-accusations have been exchanged, and the issue has become a sensitive and divisive topic. Diplomatic relations have been affected as a result, with both countries taking strong positions in defense of their claims. The dispute also has broader regional implications” (Oral interview with ISS person in Mombasa, on 3/1/2024).

From this study, this could potentially impact the stability of the Horn of Africa region, as it involves neighboring countries like Ethiopia, which have interests in the outcome. Regional tensions and conflicts can further complicate the diplomatic resolution process.

The findings agreed with Menzel and Otto (2020) who averred that maritime disputes that tend to extend beyond mere territorial disagreements therefore significantly affecting global stability and tend to arise from the competing claims over strategically vital maritime resources. In this regard, resource riches, particularly in the form of oil and natural gas reserves have occasioned the maritime border dispute between Kenya and Somalia. It further records that, the economic and strategic importance of these resources has heightened the significance of the dispute, making it a central issue in their diplomatic relations. The resolution of this dispute through international arbitration will have long-lasting implications for both countries and the broader region.

4.2.2 Regional Dynamics

The Horn of Africa region has seen its fair share of conflicts and geopolitical rivalries. Other neighboring countries, such as Ethiopia and Eritrea, may have their interests or allegiances that influence the Kenya-Somalia dispute. Regional dynamics have played a significant role as a geopolitical factor in the maritime border dispute between Kenya and Somalia, influencing diplomatic relations between the two countries. This study was interested to know how regional dynamics between Kenya and Somalia share borders with other countries, and these neighboring states have their own interests and concerns related to the dispute. This is because, the study discovered that, for instance, Ethiopia has strong ties with Kenya and is wary of any potential instability in the region. According to this study, this concern has led Ethiopia to support Kenya's position in the dispute. Conversely, Somalia's regional ally, Qatar, has provided political and financial support to Somalia. These external actors influence the dynamics of the dispute and add complexity to diplomatic relations.

“One of the respondents from Horn of Africa NGO Consortium informed this study that, both Kenya and Somalia are members of regional organizations such as the Intergovernmental Authority on Development (IGAD) and the African Union (AU)” (Key Informant Interview with a legal expert, on 4/1/2024).

According to this respondent;

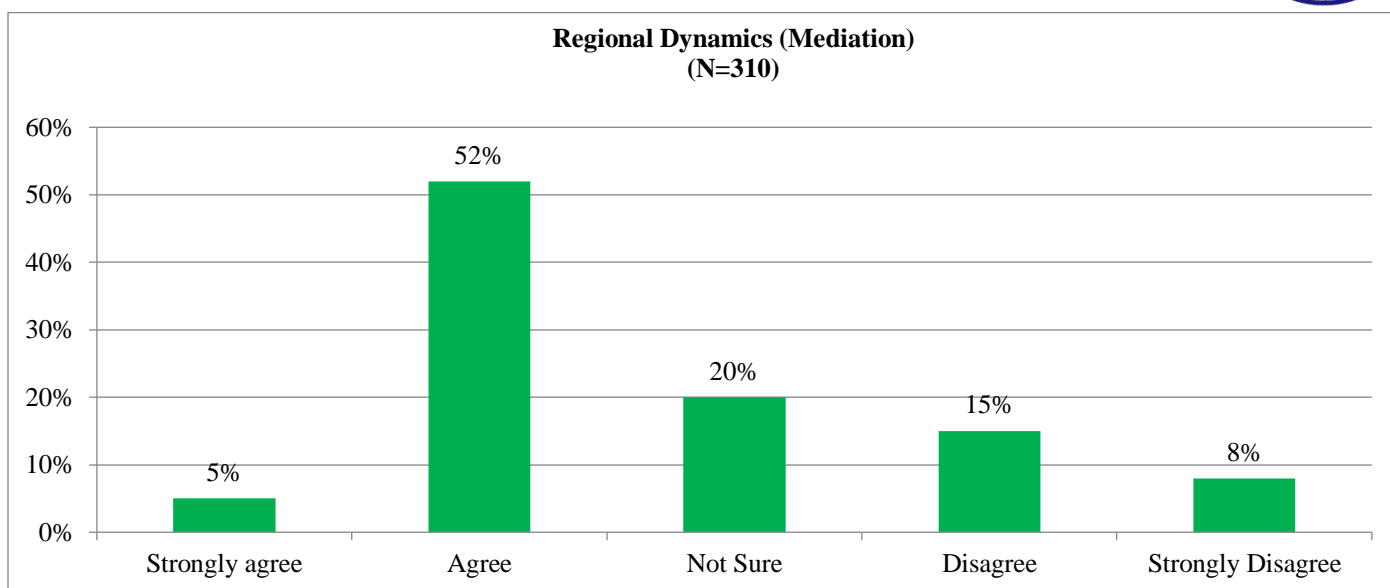
“...these organizations have a vested interest in regional stability and conflict resolution. The dispute has put pressure on these organizations to mediate and facilitate a peaceful resolution. The respondent further posited that the involvement of regional bodies can both assist and complicate diplomatic efforts” (Oral Interview with a diplomat from Ras Kamboni, on 4/1/2024).

Another responded posited that the maritime border dispute has security implications for the Horn of Africa region. It adds an element of tension and uncertainty that can potentially spill over into other regional conflicts. Stability in the Horn of Africa is of concern to neighboring countries, especially Ethiopia, which relies on access to the sea through Djibouti. Therefore, this study discovered that, any escalation of the dispute could impact regional security and stability. It emerged to this study that, Kenya hosts a significant population of Somali refugees and has been a key player in the regional response to the Somali conflict. Moreover, the maritime dispute has the potential to strain Kenya's relationship with Somalia, which could affect the management of refugee populations and regional stability. This dynamic adds a humanitarian dimension to the dispute.

The study was further informed by one of the respondents, a trader, that, the economies of Kenya and Somalia are interconnected in various ways, including trade and remittances from the Somali diaspora in Kenya. According to her;

“A protracted dispute and strained diplomatic relations can disrupt these economic ties, impacting both countries' economies and potentially leading to economic grievances. Historical tensions and conflicts in the region have contributed to the complexity of the maritime dispute” (Oral Interview with a Law maker in Lamu, on 5/1/2024).

This was in tandem with the observations made by the study that, Kenya and Somalia have had historical disputes over land borders, which have left lasting scars. According to the researcher, these historical grievances can spill over into the maritime dispute, making it more challenging to find common ground. Regional actors, including neighboring countries and organizations, have attempted to mediate the dispute. These mediation efforts can either facilitate or hinder diplomatic relations, depending on their success and the willingness of the parties involved to engage constructively. The study further found out that, out of 310 respondents, a different percentage had the following divergent views:

**Figure 3***Regional Dynamics (Mediation)*

The discussion among respondents regarding the role of mediation in addressing the regional dynamics between Kenya and Somalia over the disputed maritime border in the Indian Ocean reflects a spectrum of opinions. While a majority, comprising 57% (Strongly agree: 5%, Agree: 52%), see mediation as a potentially constructive path towards resolution, there exists a notable proportion, amounting to 28% (Not sure: 20%, Disagree: 15%, Strongly disagree: 8%), who express uncertainty or outright disagreement with this approach. This diversity of perspectives underscores the complexity of the issue and highlights the need for careful consideration of diplomatic strategies to navigate towards a mutually beneficial resolution that ensures regional stability and respects the interests of both nations.

Based on the above findings, regional dynamics, including the interests of neighboring states, the role of regional organizations, security implications, migration issues, economic interdependence, historical tensions, and mediation efforts, have significantly influenced the maritime border dispute between Kenya and Somalia. These factors have added complexity to diplomatic relations and made the resolution of the dispute a multifaceted challenge. It highlights the interconnectedness of regional geopolitics and the need for regional cooperation in addressing such disputes.

The findings align with Gray (2007) theory of geopolitics, which acknowledges the significance of regional power dynamics and alliances in shaping geopolitical outcomes. In the context of Kenya-Somalia relations, regional dynamics, including the interests of neighboring states and the role of regional organizations, play a crucial role in influencing diplomatic efforts and mediating the dispute. The theory underscores the role of regional dynamics in shaping geopolitical outcomes, as seen in the maritime border dispute between Kenya and Somalia. Neighboring countries like Ethiopia and Qatar, alongside regional organizations such as IGAD and the AU, influence diplomatic relations and mediation efforts. This study's findings reveal the interconnectedness of regional geopolitics, highlighting the multifaceted challenges and the importance of regional cooperation in resolving disputes.

4.2.3 Great Power Interests

The involvement of external actors, particularly regional and global powers, can exacerbate or mitigate the dispute. This study was interested to know how this works out. As it interrogated respondents from county political leaders in Changamwe, one of the respondents informed this study that;

“External actors may support one side over the other for various strategic, economic, or political reasons. However, she added that, great power interests can be a significant geopolitical factor in maritime border disputes, influencing diplomatic relations between countries involved” (Oral Interview with a church leader in Lamu, on 17/12/2023).

Furthermore, according to this respondent, she maintained that, While Kenya and Somalia are not typically considered great powers; their maritime border dispute has attracted the attention of larger and more influential nations. Based on this discussion, the study found out that, indeed, great powers often have vested interests in resource-rich regions, such as those with potential oil and gas reserves. It therefore emerged that, indeed, the disputed area between Kenya and Somalia is believed to have significant hydrocarbon resources. In this perspective, this study found out that, Great powers, including the United States, China, and European countries, have energy interests and multinational corporations operating in the region. Therefore, based on this discovery, these interests can create economic and geopolitical incentives for these countries to support one side or the other in the dispute.

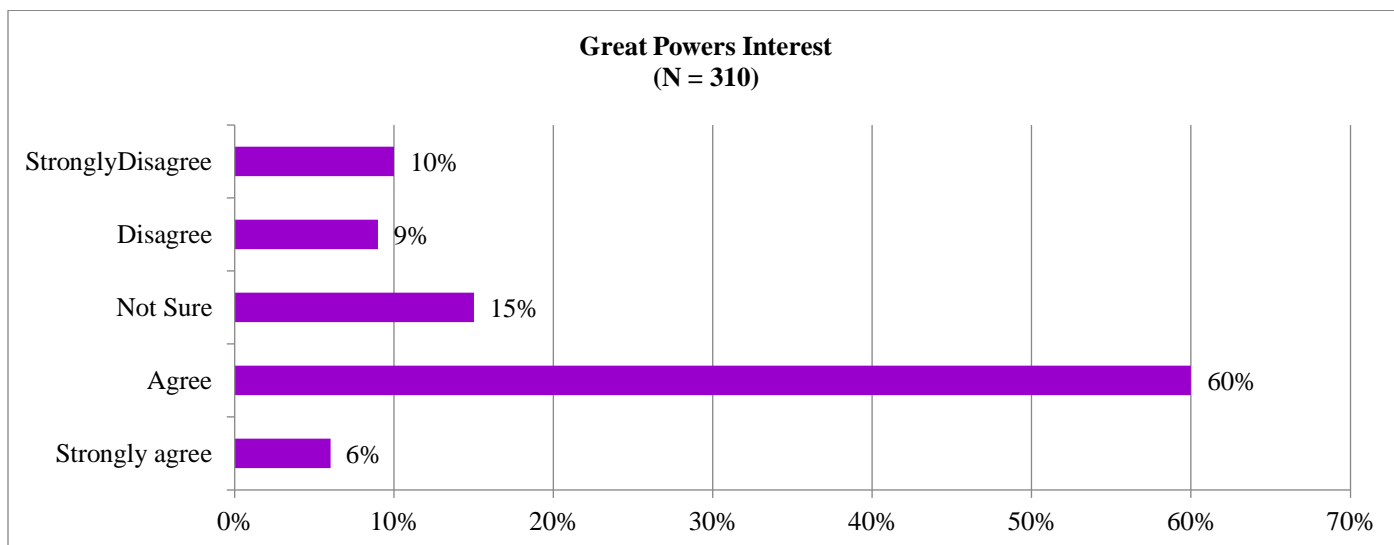


Figure 4
Great Powers Interest

The discussion among respondents regarding the influence of great power nations in escalating disputes between Kenya and Somalia over the disputed maritime border in the Indian Ocean reflects a range of opinions. While a minority, comprising 16% (Strongly agree: 6%, Agree: 10%), strongly assert that great power nations play a significant role in exacerbating tensions due to their interests, a larger proportion, totaling 34% (Not sure: 15%, Disagree: 9%, Strongly disagree: 10%), express varying levels of uncertainty or disagreement with this notion. Despite the lack of consensus, the consideration of great power interests in regional disputes underscores the intricate geopolitical dynamics at play and highlights the need for careful examination of external influences in conflict resolution efforts between Kenya and Somalia.

The study was also interested to know the effect of the location of the disputed area. While interrogating a security officer, from Lamu, he retorted that:

“The location of the dispute in the Horn of Africa makes it of strategic importance to great powers. This region is situated along key maritime routes, such as the Red Sea and the Gulf of Aden, which are critical for global trade and security. According to him, the control over maritime territories in this region can impact great powers' military and economic interests. He further asserted that Great powers often have influence over smaller countries through alliances, financial aid, and diplomatic support. The respondent further came out clear that, in the case of Kenya and Somalia, they have received varying degrees of support from different great powers” (Key Informant Interview with a KDF leader in Ras Kamboni, on 6/1/2023).

Therefore, political and financial backing of great powers can impact the strategies and diplomatic positions of the disputing parties.

The findings agreed with Ayferam and Muchie (2016) who asserted that Great powers may play a role in conflict resolution efforts. They can use their diplomatic leverage to encourage a peaceful resolution to the dispute or, conversely, contribute to the prolongation of the conflict if it aligns with their interests. Their involvement can influence the willingness of the disputing parties to engage in negotiations. The involvement of great powers can affect international legal processes, such as arbitration at the International Court of Justice (ICJ). The study further records that; these countries may submit *amicus curiae* (friend of the court) briefs or provide legal and diplomatic support to one of the disputing parties, potentially impacting the outcome of the arbitration process. Additionally, Great powers often have a vested interest in regional stability. The Kenya-Somalia maritime border dispute if left unresolved or if it escalates could have broader regional implications, including the potential for instability in the Horn of Africa. Great powers may seek to prevent such instability to protect their own interests and regional allies.

4.2.4 Security Concerns

Another pertinent finding made by the study is that, maritime disputes can have security implications, including potential conflicts over fishing rights and the enforcement of maritime boundaries. It was discovered by this study that these issues can impact the stability of the region. According to one of the respondents from International crisis group, this study was informed that:

“Security concerns have been a significant geopolitical factor that has occasioned the maritime border dispute between Kenya and Somalia. He further added that, this has had a substantial impact on diplomatic relations between the two countries. The respondent further informed this study that, the waters off the coast of Somalia have been notorious for piracy. Maritime piracy has posed a severe security threat to vessels passing through the region, including those carrying vital goods and resources. According to him, Kenya has been actively involved in anti-piracy operations in the Indian Ocean, particularly through its participation in international naval missions. Security concerns related to piracy have heightened the importance of maintaining control over maritime territories to combat piracy effectively” (Oral Interview with a Police officer in Lamu, on 14/1/2024).

Based on the above discussion, the study discovered that, both Kenya and Somalia have sought to secure their maritime borders to deter piracy and other illegal activities, including illegal fishing. The study observed that, the dispute over the exact boundaries of their maritime territories is, in part, driven by the desire to establish clear legal frameworks for patrolling and securing these waters. Furthermore, the disputed area is believed to contain valuable oil and gas reserves. Protecting these resources and ensuring their exploitation for revenue generation are vital security concerns for both countries. Control over maritime borders is seen as a means to safeguard these resources and prevent unauthorized extraction. Revenue from resource exploitation can have significant economic security implications. Income generated from oil and gas reserves can contribute to a country's economic stability, reduce dependence on foreign aid, and fund critical infrastructure and social programs. Ensuring access to these resources is viewed as a matter of economic security.

Furthermore, the study observed that, neighboring countries in the Horn of Africa, such as Ethiopia and Djibouti, have their own security interests. It emerged that; they may be concerned about the implications of the dispute for regional stability and may seek to influence the resolution process to safeguard their own security. However, security concerns related to piracy, resource protection, and regional stability have contributed to strained diplomatic relations between Kenya and Somalia. Accusations and counter-accusations have been exchanged, and the dispute has at times overshadowed other diplomatic issues between the two countries.

While holding an FGD of local community from Mombasa, the study was informed by the discussants that;

“The involvement of international mediators and organizations in the dispute, including the United Nations and the African Union, reflects the recognition of security concerns. According to this FGD, it emerged that, these organizations have sought to mediate and encourage a peaceful resolution to prevent further security risks in the region” (FGD of local community in Mombasa, 12/1/2024).

The findings were in tandem with Cardoso (2016) who averred that security concerns have been a significant driver of the maritime border dispute between Kenya and Somalia. As per the findings of this study, it emerged that, these concerns encompass maritime security, resource protection, economic security, regional stability, and diplomatic relations. Moreover, the dispute is not solely about the demarcation of borders but also about addressing broader security challenges in the Indian Ocean and the Horn of Africa. The researcher is convinced that, addressing these identified security concerns is essential for both countries and for the broader regional and international community to ensure stability and prosperity in the region.

4.2.5 Diplomatic Efforts

The study was interested on diplomatic efforts as a geopolitical factor. This is because, it was about the willingness of both countries to engage in diplomatic negotiations and find a peaceful resolution is a crucial factor. Various respondents who were diplomats were interrogated by the study. One of the respondents affirmed to this study that,

“The effectiveness of diplomatic efforts can be influenced by the broader geopolitical context. According to him, diplomatic efforts, or the lack thereof, have played a crucial role as a geopolitical factor in the maritime border dispute between Kenya and Somalia, significantly influencing diplomatic relations between the two countries. According to him, diplomatic relations between Kenya and Somalia initially centered on negotiations and bilateral discussions to address the maritime border issue” (Oral Interview with a church leader in Lamu, on 14/1/2024).

Another respondent further informed this study that, diplomatic channels in the past were used to express concerns and attempt to find a mutually acceptable solution, which was actually a good idea that needed to be emulated in the contemporary ties between Kenya and Somalia (Oral Interview with a local administration, 14/1/2024).

This study is in tandem with the respondents view by acknowledging that, when bilateral negotiations failed to yield a resolution, international mediators and organizations, such as the United Nations, the African Union, and the Intergovernmental Authority on Development (IGAD), became involved in mediating the dispute. These efforts reflected the recognition of the dispute's potential for destabilizing the region and its international implications. In

relation to the respondents' feedback, the study made the following analysis on the role of diplomatic efforts in trying to solve the issue. The respondents' views were discussed and displayed as follows:

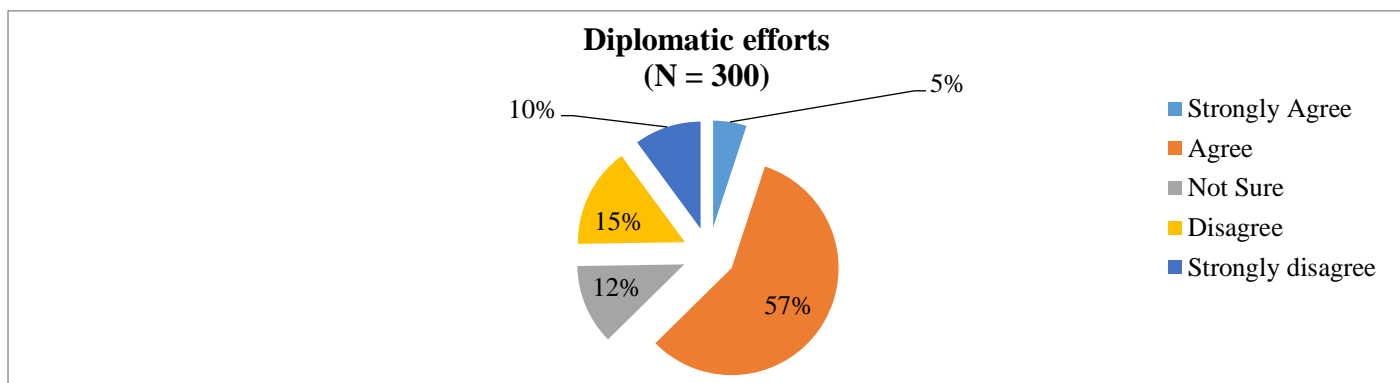


Figure 5

Diplomatic Efforts

The dialogue among respondents underscores the pivotal role of diplomatic efforts in resolving the dispute and fostering positive relations between Kenya and Somalia concerning the disputed maritime border in the Indian Ocean. A significant majority, representing 62% (Strongly agree: 5%, Agree: 57%), emphasize the importance of diplomatic channels in finding mutually acceptable solutions and promoting goodwill between the two nations. While there exists a minority, comprising 37% (Not sure: 12%, Disagree: 15%, Strongly disagree: 10%), who express varying degrees of uncertainty or disagreement with this perspective, the overwhelming consensus highlights the potential for diplomatic engagement to mitigate tensions and pave the way for constructive dialogue. Recognizing the shared interests of Kenya and Somalia in regional stability and economic development, diplomatic efforts serve as a crucial pathway towards achieving a lasting resolution and nurturing a cooperative relationship beneficial to both countries.

Based on the above discussion, the study unleashed that, indeed, Somalia's decision to initiate arbitration at the ICJ marked a significant diplomatic shift in the dispute. It transformed the issue into a legal and international diplomatic matter. It was exposed by the researcher that Kenya initially resisted the ICJ's jurisdiction but later participated in the proceedings, highlighting the importance of diplomatic channels within the context of international law. It is anticipated by the study that, the court's decisions and judgments will ultimately shape the outcome of the dispute and influence future diplomatic relations between the two countries. The willingness of both Kenya and Somalia to abide by the ICJ's ruling demonstrates a commitment to diplomatic processes and international law. The dispute attracted the attention of the international community, which played a role in diplomatic efforts. Moreover, the study anticipates that, the involvement of third-party mediators and international organizations reflected recognition of the dispute's significance and potential for regional instability.

The FGD of fishermen also informed the researcher that,

“Various countries and international organizations have expressed their support for a peaceful resolution based on international law and diplomatic negotiations. Some responders in the FGD maintained that, these statements and positions have exerted diplomatic pressure on Kenya and Somalia to engage in constructive dialogue” (FGD of fishermen in Lamu, 18/1/2024).

Based on this discussion, the researcher found out that, the dispute has strained diplomatic relations between Kenya and Somalia at times. Thus, accusations, counter-accusations, and legal arguments have created a contentious atmosphere, making it challenging to maintain constructive diplomatic engagement. However, the researcher came into terms that, despite the tensions, diplomatic efforts, including international mediation and ICJ arbitration, reflect a commitment to finding a peaceful solution to the dispute. The eventual resolution of the dispute through these diplomatic channels will have long-term implications for bilateral relations and regional stability. Additionally, the researcher discovered that public diplomacy, including statements made by leaders and officials from both countries, has shaped public perceptions of the dispute. According to one of the respondents in the FGD, it emerged that;

“Public opinion can influence the diplomatic positions taken by governments and impact the overall climate of negotiations” (FGD of fishermen in Lamu, 18/1/2024).

Therefore, these sentiments informed this study to conclude that; diplomatic efforts have been a central geopolitical factor in the maritime border dispute between Kenya and Somalia. These efforts encompassed bilateral negotiations, international mediation, legal arbitration, and diplomatic support from the international community. While the dispute has at times strained diplomatic relations, it has also demonstrated a commitment to finding a peaceful resolution through diplomatic means and adherence to international law. Additionally, as per this study, the outcome of these diplomatic efforts will significantly shape future relations between the two countries and set a precedent for

addressing similar disputes on the international stage. In conclusion, the maritime border dispute between Kenya and Somalia is a multifaceted issue shaped by historical, legal, economic, and geopolitical factors. Therefore, successfully resolving this dispute will require careful consideration of these factors and a commitment to peaceful negotiation and adherence to international law. Moreover, the involvement of regional and global actors can further complicate or facilitate a resolution, making it a matter of international concern.

While generalizing on the responses provided by questionnaires, focus group discussions and oral interviews conducted, the data reveals a notable similarity, with above 57% of questionnaire responses aligning with the responses from FGDs and oral interviews. This congruence suggests a shared understanding among respondents regarding the geopolitical factors affecting maritime border disputes. Common themes include historical grievances, resource riches, security concerns, and geopolitical alliances that contribute to the complex nature of the diplomatic relations between Kenya and Somalia.

However, below 17% of questionnaire responses differed from FGDs and oral interviews, indicating some disparities in perspectives. These differences could stem from the limitations of the questionnaire format, which might not capture the depth and nuances of qualitative discussions. Additionally, the nature of oral interviews and FGDs allows for more elaboration and clarification, leading to a richer understanding of the intricate geopolitical dynamics influencing maritime border disputes.

The high level of correspondence suggests that the findings are robust and reliable, as they are supported by multiple data sources. The discrepancies, on the other hand, may highlight unique insights and alternative viewpoints obtained through qualitative methods (Horlo, 2020). It is essential to recognize that the complexity of geopolitical factors requires a multifaceted approach, where quantitative and qualitative data complement each other to provide a comprehensive understanding.

Quantitative and qualitative analyses both provide valuable insights into the complexity of the issue when it comes to evaluating the geopolitical factors that are at the root of the maritime border dispute between Kenya and Somalia and their implications for diplomatic relations (Mohamud, 2023). This indicates that there is a consensus on certain aspects of the geopolitical factors that are influencing the dispute, as measured by quantitative analysis, which reveals a significant proportion of respondents who strongly agree and agree with the statement. This statistical approach provides numerical data that can assist in identifying trends and patterns in the perceptions of respondents, thereby highlighting the degree of agreement on particular issues that are associated with diplomatic relations (Amaratunga *et al.*, 2002).

When compared to quantitative analysis, qualitative analysis delves more deeply into the nuanced perspectives and underlying reasons behind the agreements of respondents, providing a more comprehensive understanding of the geopolitical dynamics that are at play (Ifekwunigwe *et al.*, 2017). When it comes to qualitative responses, the prevalence of positive agreement indicates that respondents have a common understanding of the multifaceted nature of the maritime border dispute and the wider geopolitical implications that it has (Imboywa, 2022). Through the elucidation of the underlying factors that are driving respondents' perspectives, qualitative data makes it possible to investigate a variety of perspectives, thereby adding context and depth to the findings obtained through quantitative research (Imboywa, 2022).

In addition, the combination of quantitative and qualitative methods makes it possible to conduct an all-encompassing analysis of the geopolitical factors that are influencing the maritime border dispute and the impact that it has on the diplomatic relations between Kenya and Somalia (Cardoso, 2016). Qualitative analysis provides a deeper understanding of the underlying drivers and contextual factors that influence certain viewpoints, in contrast to quantitative analysis, which provides statistical evidence of the prevalence of certain viewpoints (Njagi, 2019). Researchers are able to acquire a more comprehensive understanding of the intricate relationship that exists between geopolitical factors and diplomatic relations in the context of the maritime border dispute if they supplement their quantitative responses with qualitative insights (Mahad, 2015).

The comparison of quantitative and qualitative analyses highlights the significance of employing both methods in the process of evaluating the geopolitical factors that are at the root of the maritime border dispute that exists between Kenya and Somalia (Ikome, 2012). Qualitative analysis provides depth and context, which enriches our understanding of the underlying dynamics, in contrast to quantitative analysis, which provides numerical data on the prevalence of certain perspectives. These complementary approaches, when taken together, contribute to a more comprehensive assessment of the diplomatic implications of the maritime border dispute (Dodds, 2014). Additionally, they provide information regarding potential avenues for resolution and cooperation between the two countries.

The discussion of findings agrees with Gray's theory of geopolitics, which underscores the role of diplomacy as a tool for managing geopolitical tensions and resolving disputes. Discussions surrounding Kenya-Somalia relations often highlight diplomatic efforts, including bilateral negotiations, multilateral initiatives, and diplomatic outreach, aimed at addressing the maritime dispute and fostering cooperation between the two nations.

V. CONCLUSION & RECOMMENADCTIONS

5.1 Conclusion

The study Concludes that the maritime border dispute between Kenya and Somalia is deeply influenced by a complex web of regional dynamics, international mediation, and great power interests. The interplay of these factors underscores the intricate nature of the dispute, highlighting the need for comprehensive regional cooperation and adherence to international law in resolving such conflicts. The involvement of regional and global actors not only adds layers of complexity to diplomatic relations but also emphasizes the interconnectedness of regional and global geopolitics in shaping the strategies and outcomes of dispute resolution processes.

5.2 Recommendations

The study recommends that it is crucial to conduct comprehensive and unbiased assessments of the historical, cultural, and economic factors that contribute to the dispute. This requires involving specialists in maritime law, international relations, and regional geopolitics to offer detailed insights. Diplomacy and constructive dialogue should be the primary methods used to resolve the dispute. This involves arranging face-to-face discussions between the two countries and utilizing the assistance of unbiased mediators or international bodies to build trust and encourage reaching agreements.

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