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POLICY BRIEF

Securitisation of the Boda-Boda Informal Transport Sector in Kenya

Target Audience: *The Office of the Attorney General, Parliament (the National Assembly), the Ministry of Interior and Coordination of National Government, County Security Committees, and other security and justice-sector agencies.*

1.0 Background and Context

The boda-boda informal transport sector is a vital livelihood and mobility system in Kenya, employing thousands of young people and connecting communities to markets and services. However, the sector has also been associated with insecurity, including motorcycle theft, robbery, assault, smuggling, drug transportation, political intimidation and other criminal activity. This creates a policy dilemma: the sector is economically indispensable, yet parts of it are vulnerable to criminal misuse and, in some contexts, organised criminal infiltration. National security in Kenya is constitutionally understood to include the protection of the people, their rights and freedoms, property, peace, stability and prosperity (Constitution of Kenya, 2010, art. 238).

The National Defence University-Kenya (NDU-K) conducted a study titled “Boda-Boda Informal Transport and National Security in Kenya: A Comparative Analysis of Security Threat Evolution Across Selected Counties in Kenya” in seven counties, namely Bomet, Busia, Kirinyaga, Machakos, Marsabit, Mombasa and Nyeri. The study examined the conditions under which isolated or opportunistic criminal use of motorcycles evolves into more recurrent, coordinated and organised activity likely to threaten national security.

The urgency of a legal intervention is underscored by the documentary evidence of the study: court records in Mombasa show boda-boda-related cases rising from 189 in 2022 to 321 in 2025,

while Marsabit court registers document a decade-long shift from motorcycle theft (2016–2019) to immigration and human-trafficking offences (2020–2026). A legal framework bill on boda-boda transport is already at the floor of the National Assembly. This policy brief makes the case for fast-tracking the securitisation of the sector by enacting that bill and strengthening its provisions with the empirical findings of this research.

2.0 Methodology

The study adopted a mixed-methods comparative design across the seven counties, purposively selected to capture urban, rural and border security contexts. Quantitative survey data were collected from 2,631 respondents. Qualitative data were obtained through Key Informant Interviews and Focus Group Discussions with riders, stage leaders, SACCO officials, county transport officers, NGAO officers, police officers, prosecutors, border and security officers, community leaders and CSO representatives. Archival records from police crime registers, law court case registers and a health facility in four counties provided independent documentary evidence, while GIS-based spatial analysis, including DBSCAN clustering, mapped crime-risk sites and hotspot patterns. Data were analysed using descriptive and inferential statistics, including chi-square tests, Kruskal-Wallis tests, logistic regression, and thematic analysis.

3.0 Key Findings

3.1 Boda-boda-related crime exists on a continuum from incidental to organised. The study found that boda-boda-related crime ranges from isolated, opportunistic offending, through semi-organised crime involving repeated methods and coordination, to organised criminal activity characterised by role specialisation, territorial control, protection systems, fake registration and sharing of proceeds. Busia recorded the strongest direct perception of organised and repeated crime, with 52.7% of respondents classifying boda-boda-related crime as organised and repeated, while Bomet recorded the highest organised-criminality index. Repeated similar crimes (57.2%) and coordination among riders (32.7%) were the most common indicators of organisation.

3.2 Criminal control of stages and routes is a criminogenic mechanism. Logistic regression analysis established that criminal control over stages and routes more than doubled the odds of organised criminal activity (odds ratio ≈ 2.30 , $p < 0.001$). In Mombasa, unregistered riders who commit crime operate outside recognised stages; in Bomet, territorial control by certain groups of riders was identified as a sign of emerging organised criminality; and in Marsabit, criminal actors control specific stages and routes that function as nodes in trafficking networks.

3.3 Political patronage and protection are recurrent pathways to organised criminality. The political misuse of youth in the sector, commonly referred to as “political goonism”, is very prevalent. FGD participants in Mombasa reported that “it’s them who organized themselves, politicians come and finance them especially during elections”, while key informants in Marsabit

alleged that some criminal networks benefit from protection by corrupt officials and politically connected actors. History has shown that goons or thugs can be transformed into organised criminal networks capable of mutating into armed groups controlling neighbourhoods and regions, as was the case with Mungiki in Kirinyaga County between 2015 and 2022. Political interference was also a significant statistical predictor of organised criminality.

3.4 Unregistered riders are disproportionately implicated in crime. Key informants across all seven counties repeatedly associated criminal misuse of motorcycles with operators who were not registered with any recognised stage or association, and fake registration was identified as an indicator of more developed criminal organisation.

3.5 The sector is mostly lawful but carries a growing institutional cost. The study concluded that the sector is not inherently criminal, but its informality, mobility advantages, weak traceability and uneven regulation create opportunities for exploitation. The rising case burden at the Mombasa Law Courts, without evidence of corresponding conviction rates, suggests a gap between reporting and effective justice outcomes. The appropriate response is not a general criminalisation of the sector but a differentiated, evidence-based legal and security approach.

4.0 Policy Recommendations

4.1 Fast-track the enactment of the Boda-Boda legal framework bill. The Office of the Attorney General, in collaboration with the National Assembly, should fast-track the boda-boda legal framework bill already at the floor of the National Assembly. The law should explicitly provide for the sector's operational framework. Most sections of the bill should be strengthened by the empirical findings of this study.

4.2 Define and criminalise sector-specific offences. The legal framework should explicitly define and criminalise offences arising from the sector, including motorcycle theft, fake registration and identity concealment, criminal control of stages and routes, facilitation of smuggling and trafficking, and the use of riders for political intimidation and violence, consistent with Kenyan law on organised crime.

4.3 Distinguish commercial from private riders and avoid blanket criminalisation. The study consistently shows that most boda-boda riders are not criminals but economically vulnerable workers. The law should differentiate legitimate riders from organised criminal actors, protecting livelihoods while targeting criminal networks, weak stages, high-risk routes, fake registration and politically protected offenders.

4.4 Protect the sector from political patronage and influential persons' exploitation. Security enforcement against political and national leaders' patronage should be key, notwithstanding combating criminal riders. County Security Committees should monitor politicians' and other

national leaders' use of boda-boda groups during campaigns, demonstrations and public events, and enforce the law without exception.

4.5 Treat jobs for the youth as a national security imperative. The law and policy should anchor livelihood protection for the youth, since the common thread between boda-boda transporters and political goons is the failure to create dignified economic opportunities for the youth. Jobs must be treated not as a mere economic policy goal but as a national security imperative.

5.0 Primary Implementation Pathway (legislative action). The Office of the Attorney General should prepare the strengthened bill, and the National Assembly should prioritise its debate and enactment. The Ministry of Interior and Coordination of National Government should thereafter issue enforcement directives, while County Security Committees operationalise monitoring of political patronage at county level. The National Treasury, in collaboration with the Office of the Attorney General, should prepare a supplementary budget to fund enforcement, capacity building and monitoring.

6.0 Conclusion

The legal securitisation of the boda-boda informal transport sector is a necessary measure to contain an emerging national security threat while protecting a vital livelihood system. The Office of the Attorney General and the National Assembly are strategically positioned to act because a bill is already at the floor of the National Assembly. Success depends on sustained commitment from a coalition of government stakeholders, backed by budgetary resources, to enact the law, criminalise sector offences, protect legitimate riders and curb political exploitation. Through these interconnected legal and institutional reforms, the government can develop a coherent strategy to control and ultimately prevent the evolution of boda-boda-related criminality into organised threats to human and national security.

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