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Kenya: Protection offered by the state to people targeted by members of a sect or by devil worshippers; the government's official position on sects (2004 - Aug. 2006)
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

Current situation

According to a BBC article, more than 100 sects now exist in Kenya (19 July 2006). Although the article does not name all the sects, it makes specific mention of The House of Yahweh, which predicted that the world would end in September 2006 (BBC 19 July 2006; *Kenya Times* 19 July 2006; *The Star* 17 July 2006).

Many sources report the existence of an illegal sect called the Mungiki (AFP 18 Oct. 2005; *Mail and Guardian* 13 Jan. 2006; KBC 21 Jan. 2006; *The Standard* 29 Dec. 2005; *ibid.* 7 Oct. 2005; see also *Sunday Times* 14 May 2006). Concentrated in central Kenya (AFP 18 Oct. 2005; News24 18 Oct. 2005; *Mail and Guardian* 13 Jan. 2006), in the capital, Nairobi, and in the eastern provinces of the Rift Valley (*ibid.*; see also *Africa Research Bulletin* 29 July 2005, 15803), the sect is composed largely of unemployed young people from the Kikuyu ethnic group (*ibid.*; News24 18 Oct. 2005; AFP 18 Oct. 2005).

The Mungiki sect is known for its criminal activities, including murder (News24 18 Oct. 2005; *Mail and Guardian* 13 Jan. 2006; *Sunday Times* 14 May 2006; *Africa Research Bulletin* 29 July 2005, 15803; *The Standard* 7 Oct. 2005), harassment (*ibid.* 29 Dec. 2005; *Mail and Guardian* 13 Jan. 2006) and extortion, particularly in the public transportation sector (AFP 10 Oct. 2005; News24 18 Oct. 2005; *Mail and Guardian* 13 Jan. 2006; *The Standard* 29 Dec. 2005). Two sources indicate that the sect has its own militia trained to kill people (*Africa Research Bulletin* 29 July 2004, 15803; AFP 18 Oct. 2005; *East African Standard* 9 Mar. 2004). The militia is called Bagation, "derived from the words 'no bargain over death'" (*ibid.*; *Africa Research Bulletin* 29 July 2004, 15803). Some articles indicate that the sect is now operating under the aegis of a political organization called the Kenya National Youth Alliance (KNYA) (*Sunday Times* 14 May 2006; *Mail and Guardian* 13 Jan. 2006; AFP 18 Oct. 2005; News24 18 Oct. 2005; *The Standard* 7 Oct. 2005), whose members belong to the sect, according to a Kenyan police commander (*Sunday Times* 14 May 2006).

Protection offered by the state to victims of sects

Corroborating sources indicate that government authorities have asked Kenyan police to arrest Mungiki members (*Mail & Guardian* 13 Jan. 2006; KBC 21 Jan. 2006; *The Standard* 29 Dec. 2005; *ibid.* 7 Oct. 2005). However, an article published on 14 May 2006 in the *Sunday Times* quotes a police commander in Kenya's Central Province as saying that police action against the Mungiki sect is hampered by the lack of a clear legal framework that would enable them to convict sect members. Citing other police sources, *The Standard* notes that police officers are reluctant to confront Mungiki sect members, who are sometimes their partners in crime (16 May 2005). For example, *The Standard* cites a police officer who points to the case of the Rhino Squad, saying the Squad was "formed to eradicate the Mungiki followers, but instead of the Squad curbing the nefarious activities of the group, they became illegitimate partners" (*The Standard* 16 May 2005).

With regard to The House of Yahweh, a 19 July 2006 *Kenya Times* article indicates that the Nyandarua District Commissioner "had instructed the police to arrest cult members who were not taking their children to school and those not seeking medical treatments." An article published on the Web site of *The Star*, a South African newspaper, reports that government authorities "had ordered village chiefs and police [in central Kenya] to arrest House of Yahweh leaders who instruct members to sell their homes and other possessions" in preparation for the end of the world (17 July 2006).

However, a joint report presented by the World Organization Against Torture (Organisation mondiale contre la torture, OMCT) and five Kenyan non-governmental human rights organizations in Kenya to the United Nations Human Rights Commission states that "several religious groupings undertake activities that amount to torture of children" and that "no serious efforts are taken to curb these practices by the government" (OMCT June 2005, 112). The same report, referring specifically to the Mungiki sect, indicates that the Kenyan authorities have "in the past shown absolute leniency to members of the Mungiki" involved in violent acts and that they are "very

sympathetic" toward the sect (ibid.). The source went on to cite the case of Ndwiga, the sect's national leader, who, after hiding for several months, reappeared and "was let go on a small fine" (ibid.).

No information on devil worshippers or on the government's official position on sects could be found among the sources consulted by the Research Directorate.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

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Internet sites, including: AllAfrica, Amnesty International (AI), European Country of origin Information Network (ECOI), Human Rights Watch (HRW), Minorities at Risk Project, *Political Parties of the World*, ReliefWeb, Swiss Refugee Council (OSAR), United States Department of State.

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